TABLE 2.—*Soviet submarines* [1]

Class	Number of class	Propulsion	Displacement	Length	Radius	Complement	Submerged speed	Armament
			(*Tons*)	(*Feet*)	(*Miles*)		(*Knots*)	
Atomic powered	3	Nuclear reactor	3,000	328	Unlimited		25	
"Z" type	50	Diesel electric	1,850	310	26,000	70	16	40 mines or 20 torpedoes.
"W"	120	do	1,050	245	16,000	60	16	Do.
Research	1	do	1,050	245	16,000	60	16	None.
"Q"	50	Diesel	650	180	7,000	40	16	6 torpedo tubes.
"K"	13	do	1,457	282	10,000	62	10	20 torpedoes.
Ex-German type XXI	4	do	1,280	252	11,000	57	17	29 torpedoes.
Type VII	4	do	595	220	6,500	45	7	19 torpedoes.
Type XXIII	1	do	233	114	1,350	13	12	4 torpedoes.
SHCH	69	do	620	190	4,000	40	8	10 torpedoes.
"S"	32	do	780	256	9,800	50	8	6 tubes.
M-V	63	do	350	167	4,000	24	5	2 tubes.
M-IV	87	do	205	147	3,400	20	3	Do.

[1] The Russian submarine effort as delineated in "Jane's Fighting Ships, 1959-60," shows the Soviets to have the vessels shown above totaling 497 submarines of which over half are capable of extended operations at great distances from their home ports. Approximately 50 submarines are now under construction, all of which will be equipped with schnorkel and include the following classes: (1) Large long-range nuclear powered; (2) large high speed with guided missiles; (3) long-range patrol type (antishipping); (4) high-speed mine layers; (5) long-range, killer type subs (antisub HUK-type).

SENATE

FRIDAY, JANUARY 25, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, who art the fountain of all grace, in whose keeping are the destinies of men and nations, we sorely need the strength of Thy presence and the confidence of Thy guidance, for in the labyrinth of days like these we can so easily lose our way.

If we look only at the confusion of this rapidly changing world about us, we are filled with the uncertainty of it all. Its ominous threats drive us to Thee, our God, for apart from Thee our anxieties blot out our assurance, our faith is subdued by doubt, and courage gives way to fear.

As to those in whose unworthy hands have been placed the crying needs of stricken humanity, may the thoughts of our minds, the sympathies of our hearts, the words of our lips, and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our redeemer. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 24, 1963, was dispensed with.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there may be a morning hour for the introduction of bills and the transaction of routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Internal Security Subcommittee of the Judiciary Committee was authorized to meet during the session of the Senate today.

NOMINATIONS ON THE EXECUTIVE CALENDAR

Mr. DIRKSEN. Mr. President, I had understood that there would be an executive session today, but in view of the pending consideration of the proposed changes in the rules of the Senate, I believe it to be inappropriate to consider the Executive Calendar at this time.

Second, I point out that committee assignments have not been made, and I thought, therefore, that any action on any calendar ought to be withheld until the committee rolls have been completed.

Mr. HUMPHREY. Mr. President, I wish to thank the Senator. I fully concur in that judgment. I appreciate the notice the minority leader gave to me this morning. We shall respect that suggestion.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONSTRUCTION OF AN ADMINISTRATION AND SERVICE BUILDING AT THE U.S. NAVAL AMMUNITION AND NET DEPOT, SEAL BEACH, CALIF.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of an administration and service building at the Government-owned contractor-operated S–II stage final assembly facility, U.S. Naval Ammunition and Net Depot, Seal Beach, Calif.; to the Committee on Aeronautical and Space Sciences.

UNIFORMED SERVICES PAY ACT OF 1963

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for November 1962 (with an accompanying report); to the Committee on Banking and Currency.

PUBLICATION ENTITLED "STEAM ELECTRIC PLANT CONSTRUCTION COST AND ANNUAL PRODUCTION EXPENSES, 1961"

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a publication entitled "Steam Electric Plant Construction Cost and Annual Production Expenses, 1961" (with an accompanying document); to the Committee on Commerce.

AMENDMENT OF SECTION 704, TITLE 38, UNITED STATES CODE, TO PERMIT THE CONVERSION OR EXCHANGE OF POLICIES OF NATIONAL SERVICE LIFE INSURANCE

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan (with an accompanying paper); to the Committee on Finance.

REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

A letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated January 1963 (with an accompanying report); to the Committee on Foreign Relations.

PROVISION OF A JURY COMMISSION FOR EACH U.S. DISTRICT COURT

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Andres

Porras-Grajeda from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on February 15, 1962 (with an accompanying paper); to the Committee on the Judiciary.

RESOLUTION OF MISSOURI HOUSE OF REPRESENTATIVES

The VICE PRESIDENT laid before the Senate a resolution of the Missouri House of Representatives, which was referred to the Committee on Armed Services, as follows:

HOUSE RESOLUTION 42

Resolution memorializing Congress and the U.S. Department of Defense to relocate the battleship U.S.S. *Missouri* in the State of Missouri

Whereas the U.S. Navy battleship, known as the U.S.S. *Missouri*, has been removed from active naval service by the Department of Defense and has been placed in the "mothball fleet"; and

Whereas the battleship *Missouri* is of special interest to and has especial importance for all Missourians; and

Whereas the battleship *Missouri* has unusual historical significance, particularly for Missourians, because it was the site of the Japanese surrender at the conclusion of World War II, during the administration of President Harry S. Truman, the only Missourian to hold that high office; and

Whereas the location of the battleship *Missouri* here in the middle of the great plains area would make it easily accessible to millions of people from many States: Now, therefore, be it

Resolved by the house of representatives, That the Congress of the United States and the United States Department of Defense be respectfully memorialized and requested to cause the battleship *Missouri* to be relocated in the State of Missouri; and be it further

Resolved, That copies of this resolution be forwarded to the leaders of each House of the Congress of the United States, to each Representative and Senator in the Congress of the United States from the State of Missouri, to the Secretary of Defense and former President Harry S. Truman.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE (for himself, Mr. HUMPHREY, and Mr. NELSON):

S. 530. A bill to provide for an investigation and study of means of making the Great Lakes and the Saint Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself and Mr. BARTLETT):

S. 531. A bill to amend the Internal Revenue Code of 1954 with respect to the estate and gift tax treatment of employees' survivors annuities under State and local retirement systems; to the Committee on Finance.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 532. A bill for the relief of Emil Milan Preseren; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mrs. NEUBERGER):

S. 533. A bill to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. BARTLETT:

S. 534. A bill to authorize the admittance of the vessel *City of New Orleans* to American registry and to permit the use of such vessel in the coastwise trade between the State of Alaska and the State of Washington; to the Committee on Commerce.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 535. A bill to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK:

S. 536. A bill to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275 71/100 acres of federally owned land; to the Committee on Interior and Insular Affairs.

By Mr. MCCLELLAN (for himself and Senators ALLOTT, ANDERSON, BARTLETT, BAYH, BEALL, BENNETT, BIBLE, BOGGS, BREWSTER, BURDICK, BYRD of Virginia, CANNON, CARLSON, CASE, COOPER, COTTON, CURTIS, DIRKSEN, DODD, DOMINICK, EASTLAND, ENGLE, ERVIN, FONG, FULBRIGHT, GOLDWATER, GRUENING, HARTKE, HICKENLOOPER, HOLLAND, HRUSKA, HUMPHREY, INOUYE, JACKSON, JAVITS, JOHNSTON, JORDAN of Idaho, KEATING, KEFAUVER, KUCHEL, LAUSCHE, MAGNUSON, MCGEE, MCGOVERN, MCINTYRE, MECHEM, METCALF, MILLER, MONRONEY, MORSE, MORTON, MUNDT, MUSKIE, NELSON, NEUBERGER, PASTORE, PEARSON, PELL, PROUTY, PROXMIRE, RANDOLPH, RIBICOFF, ROBERTSON, SCOTT, SMATHERS, SPARKMAN, STENNIS, SYMINGTON, TALMADGE, THURMOND, TOWER, WILLIAMS of Delaware, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio):

S. 537. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Government Operations.

(See the remarks of Mr. MCCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 538. A bill for the relief of Henry Bang Williams; and

S. 539. A bill for the relief of Wong Shing Chong; to the Committee on the Judiciary.

By Mr. MCCARTHY:

S. 540. A bill to amend the Internal Revenue Code of 1954 to exempt nonprofit hospitals from certain excise taxes; to the Committee on Finance.

RESOLUTION

CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. HUMPHREY (for himself and Mr. MCCARTHY) submitted a resolution (S. Res. 69) to create a Standing Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

STUDY OF MEANS OF MAKING GREAT LAKES AND ST. LAWRENCE SEAWAY AVAILABLE FOR NAVIGATION THE ENTIRE YEAR

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year.

This bill could be the first step in opening the ice-blocked Great Lakes and St. Lawrence to year-round shipping traffic.

The bill would authorize a study on whether a deicing system for the Great Lakes and the Seaway is feasible.

Especially during this extremely bitter winter, we are feeling the effects of our ice-clogged harbors and lake routes. Any significant extension of the present shipping season would amply justify a deicing system, because great economic gains would flow from it.

The bill would authorize the Corps of Engineers to, first, investigate all problems involved in the development of deicing systems; second, review data, information, reports, and surveys relative to the establishment of deicing systems; and, third, apply findings to the Great Lakes and Seaway region, and estimate costs.

The completed study would be made available to the President with recommendations for legislative and Executive action.

Mr. President, I suggest that, initially, deicing might be applicable only to fringe areas.

The ice blockade on our lakes is one of the most serious economic problems we face. Certain problems of national defense also are posed by the ice. I believe we now possess the technical means to overcome the icy conditions on the Great Lakes and the Seaway, and I intend to press for the enactment during this session of the Congress of legislation to conduct a feasibility study.

Mr. HUMPHREY. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am delighted to yield.

Mr. HUMPHREY. I wish to commend the Senator from Wisconsin for his initiative, to assure him of my keen interest in what he has proposed, and to associate myself—as a Senator from one of the Great Lakes States—with his effort.

I hope the proposed feasibility study will be undertaken because it can mean a great deal to the entire Midwest and also to the entire Nation. In fact, I am confident that something of this sort can be done because it has been done in other countries.

Mr. President, I shall be happy to join in sponsoring the bill if the Senator from Wisconsin will permit me to do so.

Mr. PROXMIRE. Yes, indeed. Mr. President, I ask unanimous consent that the name of the Senator from Minnesota [Mr. HUMPHREY] be added as one of the sponsors of this bill.

The VICE PRESIDENT. Without objection, that will be done.

The bill will be received and appropriately referred.

The bill (S. 530) to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year introduced by Mr. PROXMIRE (for himself, Mr. HUMPHREY,

and Mr. NELSON), was received, read twice by its title, and referred to the Committee on Public Works.

EQUAL TREATMENT FOR PUBLIC EMPLOYEES' SURVIVOR ANNUITIES UNDER THE STATE AND GIFT TAX

Mr. YARBOROUGH. Mr. President, I introduce, for myself and the Senator from Alaska [Mr. BARTLETT], for appropriate reference, a bill to amend the Internal Revenue Code to provide equal treatment for public employees' survivor annuities under the estate and gift tax as the treatment now afforded similar annuities of employees of corporations, charitable organizations, and the Federal Government. For some reason, as the law now stands, public employee pension plans set up by the State and local governments, although given comparable treatment under the income tax law with other pension plans, are given somewhat less favorable treatment under the estate and gift tax laws. The bill I am introducing today would correct this inequity, treating all these comparable pension plans alike.

I feel this matter is of considerable importance to the many fine State and local employees covered by pension plans. My own State of Texas now has 250,000 public employees under such plans. Under every principle of comity we should extend at least as favorable tax treatment to these employees as to those in other categories.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 531) to amend the Internal Revenue Code of 1954 with respect to the estate and gift tax treatment of employees' survivors annuities under State and local retirement systems, introduced by Mr. YARBOROUGH (for himself and Mr. BARTLETT), was received, read twice by its title, and referred to the Committee on Finance.

COMMITTEE ON VETERANS' AFFAIRS

Mr. HUMPHREY. Mr. President, I submit a resolution to amend Senate rule XXV, to provide for a Committee on Veterans' Affairs. I am joined by my colleague, the Senator from Minnesota [Mr. MCCARTHY] in sponsoring this resolution.

There are a number of sound reasons to support the establishment of a separate committee to consider the many proposals concerning veterans' affairs that come before the Congress each year, not to mention the task of overseeing the existing veterans' programs of the Federal Government. For example, the Federal budget for the fiscal year 1964 carries $5.5 billion for veterans' affairs in the administrative budget, and $6 billion in trust funds. By any man's standards, the business of administering programs calling for over $6 billion constitutes a major responsibility of the Federal Government.

I believe that a full committee staff is required to oversee activities of such dimensions. As my colleagues know, the House of Representatives has for a number of years had a Veterans' Committee. To my mind, it is equally desirable that there be a similar committee in the Senate.

Let me cite other relevant statistics: Nearly 6 million veterans hold GI insurance policies, with a face value of $40 billion. World War II and Korean veterans have borrowed more than $52 billion for homes; and more than half of that amount has been guaranteed by the Veterans' Administration.

More than 700,000 veterans are admitted each year to the 170 hospitals operated by the VA. In addition, the Veterans' Administration also operates 18 domiciliaries and 93 outpatient clinics for the benefit of veterans. Approximately 2 million veterans are receiving disability compensation for service-incurred disabilities. More than 1 million surviving widows, children, and dependent parents of veterans are receiving death compensation or pensions. More than 1 million disabled veterans are receiving pensions for non-service-connected disabilities.

To administer these programs, the Veterans' Administration has a staff of approximately 175,000 employees, making it one of the largest departments of the Federal Government.

Considering the scope and size of these various activities, I believe it is most appropriate to assign to a single committee the task of legislative oversight. At present, the Finance Committee handles compensation, pension, and insurance matters; and the Labor and Public Welfare Committee handles veteran education and training, vocational rehabilitation, and GI loans.

While both of these committees have done excellent jobs with their respective responsibilities concerning veterans' business, I believe they should be relieved of the additional burden of these duties. A single Veterans' Committee would function in such a capacity.

A separate committee was recently established to deal with the rapidly expanding field of aeronautics and space. I see similar need for a single committee to handle the extensive business relating to this Nation's veterans.

Mr. President, I ask unanimous consent that the full text of this resolution be printed in the RECORD at this point.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 69) to create a Standing Committee on Veterans' Affairs, was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs."

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

PROPOSED AMENDMENT TO THE CONSTITUTION, PROVIDING FOR THE ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of January 23, 1963, the names of Senators DODD, KUCHEL, RANDOLPH, SALTONSTALL, and SPARKMAN were added as additional cosponsors of the joint resolution (S.J. Res. 27) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by Mr. KEFAUVER on January 23, 1963.

WISE TAX POLICIES CAN STIMULATE THE ECONOMY, CREATE JOBS, AND BENEFIT THE CONSUMER

Mr. MORTON. Mr. President, an example of how wise tax policies can stimulate the economy, create jobs, and benefit the consumer, was given to the Nation recently by the American Electric Power System, an investor-owned utility which includes six operating subsidiaries.

On January 8, the company inserted a full-page advertisement in the Washington Post. Reproduced in the ad was a telegram sent by President Donald C. Cook to five of the six operating companies, instructing them to file immediately for a reduction in electric rates.

I ask unanimous consent that the text of Mr. Cook's telegram be printed in the RECORD at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

In October H.R. 10650 providing 3 percent tax credit for electric utility company investment in certain new facilities became law and made it possible for us immediately to authorize construction of additional facilities costing $9 million not previously budgeted. This expenditure to achieve even greater operating efficiency will help us to continue to render unsurpassed service at exceptionally low rates to our 1,430,000 customers, and to strengthen economy of both area we serve and Nation as a whole. The tax reduction also will enable us to reduce our rates still further. Therefore, please file application January 8 with your State public service commission to reduce rates for all electric living. Bottom step of rate is to be reduced from present 1.5 cents (1.4 cents in Ohio) to 1.2 cents per kilowatt-hour or 20 percent. This action is in line with our long established policy of furnishing customers with the largest amount of electricity at the lowest possible cost. The reduced rates have been made possible by the reduced Federal income taxes. These lower rates will serve to increase our sales of electric power, lead to construction of additional facilities to meet increased demand for power and thus stimulate business expansion in area served by AEP system and entire country.

Mr. MORTON. Mr. President, companies affected are the Indiana & Michigan Electric Co., the Appalachian Power Co., the Kentucky Power Co., the Ohio Power Co., and the Wheeling Electric Co.

The American Electric Power System in this advertisement makes four general economic statements with which all can agree:

First. Lower taxes reduce operating costs and make possible lower rates. Lower taxes also make economically feasible the construction of additional highly efficient generation, transmission, and distribution facilities utilizing the newest and most advanced technology.

Second. The consumer benefits by getting the best possible service at the lowest possible cost.

Third. The investor benefits through his company's growth from greater sales stimulated by the lower prices.

Fourth. The Nation benefits from an expanding economy with higher levels of employment and greater national income.

As a representative in the Senate of a major coal-producing State, I am, of course, pleased at this further indication of the growth and expansion of the electric power industry. Coal is the fuel used to generate about 67 percent of all electric power produced in the United States. Present indications are that for the foreseeable future the electric power industry will continue to depend primarily upon coal for a low cost, secure supply of fuel.

It is interesting to note, Mr. President, that during the past 10 years the cost of coal used by electric utilities has decreased 5.5 percent in price. In fact, coal is the only fuel which has maintained price stability in this period of inflation.

The fact that coal prices could be reduced, while the price of other fuel is advancing, is a tribute to both management and labor. Coal is one of the most modern, efficient, and dynamic industries in the Nation. There has been a greater increase in productivity during the past 10 years in coal than in any other major domestic industry.

Yet, despite this unparalleled record of progress, the coal industry is sorely beset by unfair competition from imported residual fuel oil and the marketing of natural gas for industrial purposes under special, low-cost contracts. These competing fuels, sold under predatory marketing practices, are making heavy inroads into coal markets.

If the progress made by the great American coal industry is to be sustained, action must be taken to solve these two problems. A thriving, expanding coal industry is essential to the Nation's continuing economic growth and to its security.

THE PORTSMOUTH, N.H., NAVAL SHIPYARD

Mr. McINTYRE. Mr. President, Portsmouth, an old and honored New Hampshire city, bears a proud tradition in the building of warships. John Paul Jones' ship *Ranger*, the first man-of-war to fly the flag of this country, was built at the port city. Down through the years the tradition has been carried on by the dedicated men and women of the Portsmouth Naval Shipyard. In World War II, many of the American submarines that went on to glory were constructed at the Portsmouth yard.

Today, Mr. President, I should like to call attention to the continuing contribution of the Portsmouth Naval Shipyard to the security of the United States and all the free world. Earlier this month, the *John Adams* was launched at Portsmouth. It was the yard's 129th submarine, and the second Polaris type to be built there.

I ask unanimous consent that an article, from the Portsmouth Periscope of January 11, 1963, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE 129TH PORTSMOUTH LAUNCHING

When the SSB(N)*602* hit the water on Saturday, January 12, the ship became the 129th submarine launched at Portsmouth and this shipyard's 2d Polaris-firing submarine.

Once again, steel on dry land was transformed into one of the most advanced submarines in the world by the skilled craftsmen employed at Portsmouth. Each member of the shipyard team should be proud of the contribution he made in building this modern ship.

It is particularly significant that one of its two commanding officers will be Comdr. Lando W. Zech, who possesses an unusual knowledge of Portsmouth-built submarines. In addition to having been commander U.S.S. *Nautilus* (SS(N)*571*), first nuclear powered submarine to be built, he has also been the commanding officer of three other Portsmouth-built submarines, U.S.S. *Albacore* (AGSS*569*), U.S.S. *Sea Robin* (SS *407*), and U.S.S. *Irex* (SS *482*). We extend best wishes to the commanding officer of the blue crew of the *620*. Good sailing, Lando.

PROGRESS IN NEW HAMPSHIRE

Mr. McINTYRE. Mr. President, I would like attention focused on the strides forward that have been made in New Hampshire in the past decade.

Over the last 10 years, the State of New Hampshire has climbed from ninth to second place in the Nation in the percentage of its work force engaged in industrial employment. This rise reflects a cooperative spirit among our industrial firms, our labor, local communities, and our State planning agencies.

This is but one way in which the industrial community in New Hampshire is determined to move forward in the years ahead.

I ask unanimous consent that a recent supplement to the New England Telephone & Telegraph Co.'s Business Conditions be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDUSTRIAL DEVELOPMENT IN NEW HAMPSHIRE

Rapid industrialization, with its attendant demands for increased communications services, has been vital to the expansion of business in New Hampshire in recent years.

Like its sister States in our region, the Granite State has a much higher ratio of business-originated telephone revenue to business accounts than is the case in a similar comparison of residence service. In the instance of New Hampshire, slightly over 13 percent of the accounts are classified as business. The accounts, in turn, are the source of over 35 percent of the State's revenue.

Several facts stand out in illustrating the excellent expansion experienced in this north-central State of our territory. Of all the States served by our company, New Hampshire, at 12.7 percent, enjoyed the highest increase percentagewise in population over the decade of the 1950's. Her closest rival, Massachusetts, had a 9.1-percent gain.

Perhaps the most surprising revelation about New Hampshire's industrial growth is that on the basis of percentage of population employed in manufacturing, she stands as the second most industrialized State in the United States. In the early 1950's, she ranked ninth among the then 48 States.

Equally impressive is that in this day and age of so-called chronic unemployment (ranging nationally from 5.3 percent to 6.8 percent over the past year), New Hampshire's rate of 2.6 percent in August of this year was the lowest it has experienced since World War II. Other statistics, charted at the top of the next column, add further illumination to the fast rate of development of the Granite State's economy.

It should be noted that not only does New Hampshire lead her sister States collectively in each of the pictured categories, she also leads each State individually in each comparison. In the case of manufacturing employment, she was the only State of the five to post again for the decade through 1960.

Another indication of surging strength in the State's economy is its trend toward diversification of industry. Whereas 66 percent of those employed in manufacturing in 1952 were in nondurable goods production, the balance has now been reduced to 58 percent.

Leather is the dominant industrial employer, but electrical products (including electronics), a durable goods industry, recently supplanted textiles in the second spot. Electrical goods have been the largest contributor to manufacturing employment gains over the 10-year period.

The story of how the Granite State has accomplished this record of development is a story more of thought than deed. It is a story of early realization of the need for

an industrial development program, the initiation of thorough analysis and planning of the program, and its materialization into a frank, businesslike approach to the problems involved.

In 1935, the State's planning and development commission (P. & D.) was created. A part of the new agency was its industrial division, at that time only one employee.

A sharp decrease in employment after World War II inspired the appointment of the eight-man first industrial development committee in 1949 by then Gov. Sherman Adams. This committee, working as an organizer and also later as the coordinator of the State's activities, is generally recognized as the original spearhead of the present-day industrial development program in the Granite State.

Among recommendations soon adopted by the State government was the institution and permanent recognition of the founding committee as the industrial advisory committee. It was composed of the same public-spirited citizens who continued to serve without compensation.

The P. & D. industrial division, enlarged and guided by committee recommendations, has helped form many organizations which have administered the mechanics of New Hampshire's industrial growth. The initial purpose of this division, however, and, indeed, its initial success was the fostering and the development of a favorable business climate.

Several elements of this climate, on which New Hampshire bases both its past accomplishments and its future potential in this field, are first, a traditional industriousness and consequent high motivation and productivity rate of the labor force, second, excellent labor-management relationships predominantly local in nature where neighbors bargain with neighbors, and third, a simple, uncomplicated, frugal, and well-managed governmental structure.

Adequate financial assistance is also available to the incoming or expanding entrepreneur. The banking community has joined in the growth of the Granite State development program.

The New Hampshire Business Development Corp. is a private agency authorized by the State legislature in 1951 acting upon the recommendation of the industrial advisory committee. It is an organization established to provide loans in coordination with the institution granting the first mortgages. The loans are usually second mortgages to qualified incoming and/or expanding firms to complete their financial requirements over and above the amounts granted them by first mortgage institutions. This is one means of 100 percent financing available in the State.

Funds used by the New Hampshire Business Development Corp. for loans are provided by those institutions of the State banking community who are members of the corporation. They can loan up to 2½ percent of their combined capital and surplus to the New Hampshire Business Development Corp. and have provided a loan pool of about $1.7 million. Practically all of the State-chartered banks are participants.

Legislation passed in 1961 granted the corporation the right to guarantee all parts of loans made by primary lenders over and above that which may be desirable or legal to lend on an unguaranteed basis. This, in effect, provides a second means of 100 percent financing although it ties up corporation funds to back up the guarantee. To date, the New Hampshire Business Development Corp. guarantee option has not been exercised.

Since its inception, the corporation has granted close to 90 loans totaling nearly $2½ million involving 5,000 new jobs worth $18 million a year in pay.

Mortgage guarantees similar to those authorized by the New Hampshire Business Development Corp. are also among the several functions of the industrial park authority, a 7-year-old statewide industrial development organization and the only one of its type in the country. Although a State agency—also recommended by the industrial development committee—the authority is run on a strict business basis and is able to guarantee up to $5 million in loans to industry.

The guarantee system is a third alternative for 100 percent financing and works essentially the same way as other mortgage guarantee arrangements, the authority being empowered to guarantee up to half of a first mortgage.

With the financial complex so well mobilized, the major problem facing those interested in building the State's industry is one of providing adequate sites and facilities. It is in this area that the authority, with a $4 million revolving fund borrowed from the State treasury on 3-year demand notes, is most deeply involved.

In addition to lending money, it engages in both speculative building and construction to the specifications of a business committed to occupancy. Buildings are sold or leased to the resettling firms. Where leases are concerned, the structures are sold to banks to keep the authority fund liquid. All sales are at cost, the State agency being self-sustaining but, of course, nonprofit.

With public funds involved, authority projects must be determined to be in the public interest prior to their undertaking. This generally means that the project must add to employment and to business activity among other requirements. Such determinations are made in public hearing before the Governor and council.

To date, 10 buildings have been constructed with the authority's assistance. Four were sold to the new occupants, and four were leased. The two most recent, in Claremont and Berlin, are still vacant. In addition, industrial parks in Hookset and Dover have had land and site developments financed through the authority. A loan of $300,000 for a 38,000 square foot speculative building in Keene has been approved and is awaiting action by its local sponsors.

Local industrial corporations are active in New Hampshire as they are elsewhere in our territory. They vary in their degree of activity as the need fluctuates. Most were born of crisis—many have diminished as the demand for their services has declined.

When the vast Amoskeag textile mills in Manchester closed in 1935, a business which had employed 11,000 people left the queen city. Amoskeag Industries, Inc., was formed in 1936. It bought the mill property after raising funds through local stock sales, selling power rights, and taking a 45-percent mortgage.

In 1 year, nearly half the vacated space was refilled and close to half of the lost jobs were recovered. The corporation then started several subsidiary businesses and had over 12,000 employed in 1949, all debts having been paid by 1942. Money invested as a sacrifice for the good of the community in 1936 has paid handsome dividends since then, and subsequent crises have been met with this readymade, profitmaking development corporation.

The new Grenier Field Industrial Park, near the city's airport, attracted two major electronics firms in 1961 under the sponship of the Manchester Regional Industrial Foundation, a second development group in the city. Other cities enjoying new diversification into durable manufacturing in 1961 were Laconia (ball bearings, needles) and Plymouth (electronics).

Similar corporations have been working all over the State, going back as far as the Keene Development Co., founded in 1912. Towns as small as Newmarket, Lisbon, Hillsborough, and Raymond (all with populations around 2,000) have development corporations. The New Hampshire Business Development Corp. has made 37 loans to corporations such as these over the years.

In all of these small towns, available plant space, at one time abandoned, is now fully occupied. Several areas, namely, Manchester, Keene, Claremont, and Franklin, have had two foundations working in their behalf.

Industrial parks, at present probably the most utilized means of new industrial development, are fast becoming common to the New Hampshire scene. In 1961, 5 new parks sprang into existence, bringing the Granite State total to 13 such complexes.

Most of the speculative buildings in which the State industrial park authority has had a part have been sited in these parks. Three of the five new parks of 1961 were initiated as strict private enterprises, adding a new dimension to the industrial development picture.

Extra added attractions feature some of the parks. Laconia and Nashua have included housing developments to fill another of the facilities shortages which have to be considered when new industry is being sought. Perhaps the most unique of all is the Grenier Field Park in Manchester. Its tract not only includes land around the airfield, but it also encompasses the triangular plot inside of its three runways. Under this arrangement, a new firm can have fly-in delivery and pickup, being completely surrounded by runways.

Early in this analysis, the premise was taken that New Hampshire's industrial development success was mainly one of thought more than deed. Its agency development and financial assistance facilities are not unique nor are its problems of satisfying the physical plant and trained manpower requirements for new and/or growing enterprises.

The key to its success seems to lie in its concentration on and steadfast devotion to the mutual satisfaction of both the business and the community concerned and its absolute refusal to accommodate one without the other. In promoting industrial development, all Granite State agencies concentrate on serving as consultants to a prospect in preference to any hard-sell approach.

In a study, "Developing the Little Economies," Donald R. Gilmore, regional economist of the Federal Reserve Bank of Boston, singles out the Concord Regional Development Corp. as outstanding in this light among all such organizations in the Nation. He praises the superior quality of the corporation's economic research and planning for the city. These activities determined what industries were best suited to the area and what facilities were required to make the area more desirable. Detailed reports, provided both the community and the enterprise on these and other subjects, were emphasized as outstanding in Concord by the Gilmore analysis.

The office of industrial development of the State's new department of resources and economic development (the new name for the industrial division of the P. & D. commission, following a recent reorganization) also typifies the attitude of those promoting industrial development there. The agency and the prospect consult together and set to work cooperatively to determine whether the latter's relocating to or expanding in New Hampshire will provide for the economic betterment of all concerned.

Many areas have labor force problems. Where employment is already high, an area may not have the number of employable people or skills the firm wants. In some places, Nashua for example, new industry can draw on some of the high unemployment areas of northeastern Massachusetts. Thus, the local labor force shortages there

would not be so serious. In other places, such a problem might be insurmountable. These considerations of individual conditions are always taken in preliminary consultations.

Also, the industrial development office will not consider a new business that cannot contribute to the economy on a longrun basis. A business that may depend on an erratic market subject to wide short-term fluctuations or one that could well end up in quick shutdowns is among the least desirable.

Hopefully, a new or expanding business will not compete for an already tight labor force. More preferably, it will absorb elements of the labor force not in short supply. In an eastern city, for example, a number of older firms using semiskilled labor are being squeezed out of employees by newer precision industries requiring higher paid skilled labor. New Hampshire is seeking the relocation of these older businesses to the Granite State to employ some of its semiskilled labor in areas where jobs of this type are scarce and in high demand.

This desire to utilize the training and background of those needing jobs is the main reason that expansion from within among industries already oriented to New Hampshire's labor force receives emphasis in development circles equal to the attraction of new industry not so well adapted to existing work force conditions.

To date, this highly analytical and businesslike approach by all agencies concerned has coped with the crises that have beset the Granite State and has given the enviable record of growth illustrated throughout this discussion. Further contributions to this expansion in New Hampshire seem assured as the needs of the populace are further enlarged and efforts in the industrial development field achieve further successes.

THE SENATE AS AN ANCHOR

Mr. SPARKMAN. Mr. President, on January 16, 1963, there appeared in the Birmingham News an editorial entitled "The Senate as an Anchor." It is a very fine editorial which deals with the present situation prevailing in the Senate. I ask unanimous consent that the editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SENATE AS AN ANCHOR

Senator HUMPHREY has introduced a bill as expected to allow Senators to limit debate if 51 of 100 so vote. Senator ANDERSON, of New Mexico, also a Democrat, has offered a compromise measure to allow three-fifths of Senators voting to limit debate. Present Senate rules require two-thirds.

The South's Senators will carry the major burden of defense of present rules. They will be joined by some Republicans and a few Democrats from nonurban States, generally western.

Antidebate, or antifilibuster, Senators, generally quite liberal, will again call southern opposition a move to save ground for fighting against civil rights bills. In part this will be true.

But southerners such as Senator RUSSELL, of Georgia, are correct in stating that the issue involves more. Civil rights bills were passed over southern opposition in 1957 and 1960. They didn't go as far as some wanted; but one enables the Federal Government to designate referees to say who could register to vote in States. That was a major civil rights action. Two-thirds rule didn't stop passage.

Proper defense of the two-thirds rule lies in its value to a continuing Senate as envisaged by the Founding Fathers. Times change; fundamentals need not.

Hamilton or Madison (it's uncertain which) wrote in 1787 or 1788 of a Senate that, "the objects of government may be divided into two general classes: The one depending on measures which have simply an immediate and sensible operation; the other depending on a success of well-chosen and well-connected measures."

In this Federalist essay, it was recognized that "there are particular movements in public affairs when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful representations of interested men, may call for measures which they themselves will afterward be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens * * * until reason, justice, and truth can regain their authority * * *."

There was, this argument continued, no long-lived republic without a Senate, and a Senate was intended as a body to prevent the indelible reproach of decreeing to the same citizens the hemlock on one day and statutes on the next.

A Senate is supposed to be a center of maximum discussion. Admittedly filibustering may abuse. But balance should go, in a Senate, with the opposite of any appearance of ease of legislative enactment.

A Senate was called an anchor against popular fluctuations.

This is an historic essay. It is known to the U.S. Senate today, as to Senates past. The filibuster has been abused in the past, not only in judgment of critics of southern stands, but by Senators of other areas. Only lately it was used by the very liberals themselves in attack on a communications satellite bill.

Never in our time has the filibuster, or unlimited debate, been abused to such an extent that the nature of the U.S. Senate seriously should be altered. Senator ANDERSON'S bill would seriously change the body; Senator HUMPHREY'S measure would provide excellent basis for decreeing the hemlock.

This is an old issue. The estimate is the Senate rule will not be changed this session. It never should be on the sketchy basis thus far provided.

NEW FARM LIBRARY NEAR THE SITE OF THE AGRICULTURAL HALL OF FAME

Mr. CARLSON. Mr. President, President Kennedy in his budget message to Congress recommended an appropriation of $450,000 for preparation of plans for a new Farm Library.

As I understand it, the library would be maintained by the Department of Agriculture as an aid to scientists in the United States and elsewhere.

I would like to suggest that the new library be built near the site of the Agricultural Hall of Fame, which is located west of Kansas City.

The board of governors of the Agricultural Hall of Fame and National Center are developing a great National Agricultural Center in that area. They own 275 acres of ground which is now undergoing improvement.

On October 15 the beautiful 350-acre Wyandotte County Bonner Springs Park was dedicated and officially opened to the public. This park, adjoining the Hall of Fame site, has been fully completed. It includes landscaping, beautiful drives, and is being fully maintained. The total costs of the park are $511,000.

Contracts have been let to start work on a new Wyandotte County Historical Museum to be built approximately 200 yards east of the location of the main building of the Agricultural Hall of Fame.

The State of Kansas has purchased 70 acres adjoining the Agricultural Hall of Fame site and connecting with the Kansas Turnpike.

The above-mentioned projects constitute an area of 695 acres, which will be for use by the Agricultural Hall of Fame and visiting public.

This would insure an ample area for the U.S. Department of Agriculture Library.

I ask unanimous consent that a recent editorial which appeared in the January 22 issue of the Kansas City Times be made a part of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HALL OF FAME SITE LOGICAL FOR FARM LIBRARY

In his proposed budget, President Kennedy recommended an appropriation of $450,000 for preparation of plans for a new Farm Library. It would be maintained by the Department of Agriculture as an aid to scientists in the United States and elsewhere. We suggest that the Library should be built on the site of the Agricultural Hall of Fame west of Kansas City, Kans.

The Department's present library houses only about half of the 1.2 million volumes currently in the collection. As agricultural research continues, more books will be added. Also, publications are regularly acquired from more than 50 other countries. Agricultural scientists from throughout the world use the specialized information available in the library. The size of the library is indicated by its staff of 1,000 employees.

The site of the Agricultural Hall of Fame has been purchased. From the outset, a plan for a Farm Library has been included.

Certainly the Midwest site would be more accessible to scientists in the colleges of all the States than would Washington. Visitors from foreign lands, intent on agricultural research, would find themselves in the heart of America's greatest food production area.

We hope that Hall of Fame officials will move quickly to impress upon the Department and Congress the logic of the Hall of Fame site for the new Library. They can make a very strong case.

JIMMIE BOGGESS—25TH ANNIVERSARY MARCH OF DIMES BOY FOR 1963

Mr. McCLELLAN. Mr. President, we in Arkansas are honored that 5-year-old Jimmie Boggess, of Coy, Ark., was named the 25th Anniversary March of Dimes Boy for 1963. It is the first time that the State of Arkansas has been so honored.

On several occasions I have met young Jimmie, in Little Rock and in Washington. He is a typical American youth. He is a bright, intelligent, and promising young boy of whom any parent would be justly proud. He is a fine young man.

Through the efforts over the past years of the March of Dimes program, little Jimmie's future is much brighter than it otherwise might have been had he been

compelled to go through life, with a congenital handicap that he had, without the treatment and care that the March of Dimes program has made possible for him to receive.

Only this week Jimmie visited with the President of the United States. He is currently on a nationwide tour to celebrate the 25th anniversary of the National Foundation.

I am sure all Senators join with me in wishing Jimmie happiness as he makes his nationwide tour. I am sure that his visitations to the many cities and communities throughout the Nation will stimulate and inspire many to support this great humanitarian program.

We also wish a most successful year to the wonderful organization which conducts this program.

PRIORITIES FOR SBA LOANS

Mr. PROXMIRE. Mr. President, earlier this week, I had printed in the RECORD a very fine article by Dickson Preston, who is a Scripps-Howard staff writer, on the Small Business Administration. On Wednesday and Thursday of this week two additional articles completed a series which Mr. Preston has been writing, analyzing the SBA. He is doing a very thoughtful and perceptive job of showing that SBA loans have been going in many cases to concerns which are not engaged in essential work and, in many cases, also to firms which provide very little employment. I realize that administering a Government agency is difficult. John E. Horne is one of the finest administrators we have in Government. Nevertheless, the kind of criticism made in the article deserves wide attention. The analysis is thoughtful, balanced, and responsible.

I ask unanimous consent that the two articles to which I have referred be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Jan. 23, 1963]

PROXMIRE WOULD SET UP PRIORITIES FOR SBA LOANS—HE'D LEAVE DISBURSAL TO AGENCY

(By Dickson Preston)

In 1954, its first full year of operation, the Small Business Administration (SBA) had a $55 million revolving fund from which to make loans.

It had 601 employees, 13 field offices, and an operating budget of $3,775,000.

Today SBA's revolving fund has grown to nearly $1.3 billion. Its operating budget this year—money to pay office costs and salaries—is $26,458,000. It has 3,000 employees and 60 field offices.

This phenomenal growth in less than 10 years is something of a record even for Washington. But at least one congressional critic fears the agency is just beginning to scratch the surface.

Senator WILLIAM PROXMIRE, Democrat, of Wisconsin, pointed out in a Senate Banking Committee report last year that under SBA's official definition, 95 percent of all firms in the United States can be classed as "small business."

"If this program expanded to cover even 3 percent of all small businesses in the United States, instead of one-half of 1 percent, additional billions of dollars of new appropriations would be needed," he warned.

PRIORITIES

Senator PROXMIRE wants Congress to set up priorities for SBA loans instead of "simply appropriating more and more funds each year" and leaving the disbursal of them up to the agency.

But most Congressmen seem interested in only two things about small business—voting SBA all the money it wants (and sometimes more than the administration asks); and helping their constituents get SBA loans.

"Small business in this country is sacred, like home and mother," said one Capitol Hill veteran. "No Congressman is going to do anything against it."

Such an attitude undoubtedly has contributed to SBA's growth and to the optimism of its staff about the security of their bureaucratic future. By 1967, they estimate, they'll triple their outstanding loans to a total of $2.5 billion. And at that rate, it won't be long before SBA will be the world's biggest bank—and one of its biggest businesses.

TWO REASONS

Despite all this volume, SBA loses money. Officials give two reasons:

The agency performs many services besides loanmaking for small businesses. These include management counseling, guidance in getting Government contracts, information on foreign trade and new products, plus scores of publications and pamphlets.

Limits set by Congress on interest rates make it difficult if not impossible for SBA to pay its own way. Disaster loans must be made at 3 percent and loans to firms in economically depressed areas at 4 percent.

SBA pays the U.S. Treasury interest on money it receives for its revolving fund at a rate equal to what the Treasury must pay to borrow it on the open market. Currently this is 3¾ percent—which means that a 3- to 4-percent loan is sure to be a losing proposition.

SBA collects 5½ percent on most loans other than those for disasters or depressed areas. That is less than present-day bank rates, which range above 6 percent.

The agency's rules on what constitutes a small business are very relaxed.

Any business with fewer than 250 employees is automatically small, any with more than 1,000 automatically big. Between the two figures, it is a matter of judgment by the agency official handling the loan application.

RULES

Equally relaxed are its rules on what an applicant must do to prove he is unable to borrow money from private banks.

Theoretically, no one is eligible for an SBA loan unless he has been turned down elsewhere. In practice, however, SBA requires the applicant to try at only one bank in communities under 200,000 population and at two banks in larger cities.

"We think that's enough," explained SBA Loan Processing Director Logan P. Hendricks. "If we chased him down the street to another bank, they'd probably just say: 'Why won't your regular banker do business with you?' "

Senator PROXMIRE and other critics have charged the turndowns by private bankers often are matters of convenience designed to help a good customer get SBA's longest terms and lower interest rates. The Wisconsin Senator has called them a "standing joke" with many bankers.

SBA denies this. And at least some private bankers agree the criticism is unjustified.

"If we turn down a loan it's because we don't think it is a sound proposition," one banker said. "Why should we turn away business?"

[From the Washington Daily News, Jan. 24, 1963]

THERE ARE MANY CASES IN POINT—EVEN SBA OFFICIALS BALK AT TIMES ON LOAN REQUESTS

(By Dickson Preston)

Sometimes even Small Business Administration officials themselves balk at SBA's policy of doling out public funds to finance such things as ski lifts, golf courses, bowling alleys, and doctors' offices.

Take the case, for instance, of what we'll call Mortgage Manor Golf Club, an 18-hole course in a Midwestern State.

The case is a real one, from official SBA files. Actual name and location are camouflaged to prevent revealing.

The proprietors of Mortgage Manor came to SBA last year after trying in vain to sell enough stock and bonds locally to make a going concern of their community project.

They presented a glowing prospectus, complete with pictures and enthusiastic letters from prominent citizens, and they forecast a bright future for the club if only SBA would put up enough money to get it out of hock.

SENDS REPORT

The SBA regional director, after studying their sales pitch, sent a report to Washington recommending strongly against it. He said:

"Even though it is repeatedly said the loan, if granted, will give the community a shot in the arm, I do not believe it proper with our limited funds at this time to approve a loan for the creation of pleasure for a community.

"Better the funds be used for creating jobs for people who are unemployed."

The regional director turned out to be a minority of one. He was overruled by officials here. SBA granted the backers a $125,000 loan for 10 years at 4 percent interest—even though the area is one of substantial, long-term unemployment and the club's own sponsors admitted their project would employ only 19 people at most.

Why was the loan granted?

One reason, in this case, may be that Mortgage Manor is in the district of a Congressman who sits on the House Appropriations Subcommittee dealing with SBA funds.

He is a Republican well known for his speeches about "economy in Government." But he let SBA know of his "interest" in the prospect of a federally financed golf course for his constituents.

ROLL IN DAILY

Such so-called expressions of interest roll into SBA headquarters daily from Capitol Hill. They vary from simple inquiries to strong arguments in favor of particular loans. And although SBA denies they constitute undue influence, nobody denies they have an effect.

"We give consideration to congressional interest, of course," says SBA Loan Processing Director Logan B. Hendricks. "But we call the loans as we see them. We really have no complaint about undue congressional pressure."

Another contributing factor is that SBA usually seems to have more money than it knows what to do with.

"I don't know of a single case in the history of the agency," says SBA Administrator John E. Horne, "in which the use of funds for a recreational facility has resulted in a lack of funds for retailers and manufacturers.

"If I had to make a choice between a golf course and a manufacturer, I'd go for the manufacturer. But we've always had enough money for both."

(SBA, it should be noted, got an increase of $300 million from Congress last year. It now has a revolving fund of $1.26 billion from which to make loans.)

Whatever the reason, it is difficult to see how granting of Mortgage Manor's bail-out operation can be attributed to the "hard-headed bankers' approach" on which SBA's directors pride themselves.

DEEPLY IN RED

Sponsors of the golf course admitted they were deeply in the red. They proposed, in fact, to use almost the entire $125,000 to pay off debts. No profits are in sight until 1964 at the earliest. And despite the "community project" tag, only about 500 of the country's 76,000 inhabitants had invested in the public sale of stock.

SBA field investigators noted there would be an "unfavorable relation of the debt to net worth" if the loan were granted. A local banker, although he wrote SBA he was "very enthusiastic," was only enthusiastic enough to put up 15 percent of the $125,000 in bank funds—even at 6 percent.

Yet the loan went through—one more among more than 50,000 in which SBA invested $2 billion of public funds in its 10 years of life.

Whether it is a typical loan is a matter of question (although the case was chosen at random from recent files). But the fact remains that SBA makes such loans by the hundreds—and almost nobody, except the agency and the beneficiaries, even bothers to take a look.

GOVERNMENT WASTE

Mr. PROXMIRE. Mr. President, in the January 20 issue of the Eugene Register Guard, Eugene, Oreg., Mr. William Abrogast, of the Associated Press, published an article analyzing Government waste. It was an unusual analysis because it did not take the usual course of condemning all Government activity. In a careful and discriminating way, Mr. Abrogast points to certain areas in which waste is undeniable. He writes that it adds up to at least $1 billion annually.

The article is an unusually thoughtful one, based upon GAO documentation. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOVERNMENT WASTE ESTIMATES REACH TO $1 BILLION ANNUALLY

(EDITOR'S NOTE.—A statistician estimates that the Government is wasting more than a billion dollars annually. The big question is, Is it? Well, it does seem strange to spend $4,000 repairing cars replaceable for $1,800 and for the Air Force to spend millions for items it already had.)

(By William Abrogast)

WASHINGTON, D.C.—In a $90 billion a year business with 2,500,000 employees you can expect some waste and inefficiency.

And in the Federal Government, which is that kind of a business, it apparently exists in abundance.

Just how much of the taxpayers' money is unwisely spent or downright wasted every year can't be pinned down accurately, but official audits and examinations indicate that it runs into the hundreds of millions.

A House Appropriations Committee statistician figures it at "probably well over a billion" but adds that "there's no way in the world to nail it down because the Government is such a big operation and the audits are selective and only scratch the surface."

Just what constitutes waste of money is a subject of sharp disagreement.

Many Members of Congress claim the entire foreign-aid program, on which billions are spent annually, is money wasted. This year, 144 House Members voted against giving the aid program any money at all.

A large number of city Congressmen believe it's a waste of money to spend over $300 million a year to store surplus farm products as part of the Federal farm program. Rural members counter that it's wasteful to finance big urban housing and redevelopment programs.

You can get a hot argument over whether it was necessary for Congress to spend more than $100 million in recent years for new swank offices for its Members and for a face-lifting for the Capitol.

The chairman of the House Appropriations Committee, Representative CLARENCE CANNON, Democrat, of Missouri, has argued for years that it is a waste of money to build big aircraft carriers.

That there definitely is some waste in Government has been pointed out in black and white by the General Accounting Office, which annually makes hundreds of reports to Congress and agency heads. The GAO is an independent auditing agency created by and responsible to Congress. Its job is to keep a wary eye on spending.

Last year the GAO claimed credit for the return to the Treasury of almost $38 million that otherwise would have been wasted. This figure, added to economies effected as a result of GAO prodding, may run as high as $100 million.

GAO auditors dart into and out of Government offices and the offices of contractors. They appear to have a knack for knowing where the financial bodies are hidden.

The auditing office's head, Joseph Campbell, says his men can't do as much probing as they'd like to because there are just too many activities and contracts involved.

Examples of findings in recent GAO reports include these:

Millions of dollars worth of Air Force supply items were needlessly purchased because the Air Force didn't know the items already were available in the Air Force supply system.

Purchases by one branch of the Armed Forces of items in long supply in the stocks of other services. The GAO said such purchases amounted to $81 million in 2 years.

Clothing and other textile items costing about $10 million bought by the military services at a time when there were sufficient supplies of acceptable items on hand to meet demands from 4 to 10 years.

A New York contractor had the interest-free use for 3 years of $2.6 million in defense funds received provisionally under a Navy contract. During 11 months of the 3 years, the company invested $2 million in U.S. Treasury bonds on which it received $47,000 in interest payments. The Government's estimated interest payments on $2.6 million of borrowed money during the 3 years was $242,000.

At Andrews Air Force Base near Washington, a 1959 station wagon which could have been replaced for $1,800 was repaired at a cost of about $4,000 in a little more than 1 year. At another base, in California, $4,023 was spent on repairs on a 1956 station wagon that cost $1,545 new.

As much as $65 million in excess and surplus Defense Department property should have been utilized in 1 year because the services were "buying and selling the same items."

In 1 year, the Defense Department spent $13 million to carry passengers and baggage on commercial planes while military planes making the same runs had empty space.

A review of 85 post office facilities leased or to be leased for 20–30 year periods from private builders showed that the total lease costs to the Government "substantially exceeded" estimated construction costs, including land, but the Government gets no equity in the property.

In a national forest area, two claimants obtained mining rights on 285 acres of forest land for about $172, did no mining work, and sold timber off the land for $138,000.

The GAO has no jurisdiction over financial operations of Congress, although it has, at the request of Congress, made some audits on Capitol Hill.

A classic example of Capitol Hill "goofing" was provided recently when it was discovered that four fancy motor-driven cars purchased for use in a Capitol subway couldn't be used without replacing the wheels at an estimated cost of $20,000.

WHY JOHNNY CAN'T GET A JOB

Mr. PROXMIRE. Mr. President, recently Mr. Lester Velie, a staff writer of the Reader's Digest, wrote an article entitled "Why Johnny Can't Get a Job." He emphasized that one of the real difficulties is that in many cases our society does not provide the technical and vocational training which we urgently need. In the analysis by Mr. Velie he pointed out that in New York City the need for people in jobs that seem simple—jobs such as cooks, butchers, and so forth—is at present very great. The salaries and wages paid to people filling such jobs are very high because people with required training cannot be obtained.

In the course of the article Mr. Velie points to Milwaukee, Wis., as an example of how a community can do a fine job for the Nation and for itself in providing the kind of vocational training that is necessary.

I should like to read briefly from that article. Mr. Velie states:

In Milwaukee, under a State law passed a half-century ago, vocational education has been raised to first-class citizenship by being taken out of the hands of regular school administrators and given to independent vocational-education boards with tax powers to raise their own funds. Milwaukee's independent board consists of two industrialists and two labor leaders. The city's school superintendent sits in as an ex officio member, and has a vote. The results can be seen in Milwaukee's Central Vocational School—the biggest institution of its kind in the country and a worldwide showpiece as well. Last year, some 180 teams of observers, 70 from abroad, came to study the school.

In contrast with Philadelphia, say, which spends but $280,000 of vocational training yearly, Milwaukee—with one-third the population of Philadelphia—spends 17 times as much: $4,800,000. With this kind of financial support, Milwaukee's Central Vocational School gave job training last year to 18,000 high school students, apprentices and adults. A close working arrangement with industry keeps the school abreast of the city's job needs and of changes in technology.

Thanks to the skilled workers supplied by its vocational system, Milwaukee has become the "Machine Shop of America." And there is an additional dividend: when a non-academic-minded student gets job training that he can relate to his earning needs later, he remains in school. In contrast with the country's high school dropout rate of 40 percent, Milwaukee's dropout rate is only 5.5 percent, the lowest of any big city.

Later I intend to submit a resolution calling for the school dropout age to be raised to 17 years. Of course, a Senate resolution would not have the power—and the Federal Government should not have such power—to impose such a condition.

I think that the kind of example which is given by our great city in Wisconsin, Milwaukee, of emphasizing relevant vocational training is an example we can use to constructively solve the unemployment problem without relying on enormous deficits which are a necessary consequence of drastic tax cutting at a time when we already have big deficits.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

The PRESIDING OFFICER (Mr. CASE in the chair). Is there objection to the request by the Senator from Wisconsin?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY JOHNNY CAN'T GET A JOB

(By Lester Velie)

One out of every five boys between the ages of 16 and 19 who looks for work fails to find it. Yet thousands of highly paid jobs are going begging.

There is an answer to the problem.

As a world capital, New York City needs an army of butchers and bakers and cheese-blintze makers to keep its hotels, restaurants and ocean liners going. And so, when the agitated ship-line man broached the case of the vanishing garde-manger, I reached for my notebook.

"He's the cook who prepares hors d'oeuvres and buffet tables. We pay him $10,000 a year—plus all he can eat. But try and hire one. And try and hire a $7,500-a-year saucier, or any other skilled kitchen or dining-room help."

Curious as to what other high-priced jobs might be going begging in New York City, I checked further. A meat wholesaler produced a payroll swollen with overtime due to labor scarcity. One of his butchers was earning $11,000 a year, others $10,000. One 21-year-old youth, just 3 years out of high school, was already earning $8,400 yearly.

Nor is the dearth of skilled men limited to the food trades. Furniture manufacturers, short of cabinetmakers, are importing them from Europe. New York State Employment Service executives report that jobs go unfilled in 61 skilled trades—from glassblowers to printers, from cheesemakers and boilermakers to TV repairmen.

In Chicago, an auto-mechanics union official said to me, "An autobody man can earn up to $10,000 a year—but my local can't supply the need." Detroit badly needs tailors and machinists. Philadelphia needs sheet-metal workers, electricians and sewing-machine operators. Many cities lack shoe repairmen, sales clerks, typists, turret lathe operators—not to mention such specialists as dietitians, pharmacists, medical-laboratory technicians.

Here is a curious national problem. So acute are shortages of skilled workers today that businesses are threatened. (For lack of that garde-manger and other kitchen mechanics, U.S. ocean-passenger business may well be lost to foreign lines.) At the same time, unemployment—particularly among the young—keeps rising implacably.

Why? Consider some of the new forces at work.

Last year, approximately a million teenagers ended their schooling and looked for work. Not long ago, these youths could be absorbed in industry or on the farm. But galloping automation has wiped out 2 million blue-collar jobs in the last 5 years. (In farming alone, 800,000 jobs have vanished since 1957.) True, automation has created 3,500,000 new jobs in service industries—in stores, garages, banks, real-estate offices. But these jobs require training. And so many of our young people lack the needed training that 1 boy out of every 5 between 16 and 19 fails to land a job. Automation, then, like a huge searchlight, makes painfully visible a giant flaw in our educational system: our schools are flunking the job of preparing our young for the workaday world.

The reporter who looks for the reason promptly bumps into an Alice-in-Wonderland situation.

Only 15 of every 100 children who start school go on to win a college diploma. Yet virtually all teaching aims at the academic needs of this minority. The job needs of the majority who will drop out or won't go beyond high school are largely neglected. Only 4 percent of all public-school funds are spent on vocational training—less than 1 percent in some cities, such as Philadelphia and Kansas City, Mo. So gloomy are the findings of the President's Panel of Consultants on Vocational Education that its staff director, Dr. Chester Swanson, describes the need for reform as "the biggest problem facing American education today."

Look at the way New York City meets its urgent need for butchers and bakers. "You must go see our Food Trades High School to believe it," a meat wholesaler urged.

I found this institution housed in a 90-year-old abandoned elementary school in mid-Manhattan. Inside, some 100 pupils were learning to bake bread and pastry, to slice up a side of beef and to cook a short-order meal. A bakery instructor described teaching conditions: "We have some 40 boys to a baking class, but only four knives for shaping dough."

Were the knives expensive?

"No, they cost only $5 apiece, but there isn't any money in the appropriation," the teacher said.

There were other problems in the ancient school. The ovens, long obsolete, had no precise temperature control. Students had to bake bread without the steam needed to keep it moist, since the school lacked steam boilers. So the future bakers would not know how to bake under industry conditions until they went into the trade. For lack of space, ovens were crowded in corners and against walls, where it was both inconvenient and dangerous to use them. The cafeteria, where the boys learned food handling, had no steam tables. Since there was no space for academic classes, students trekked daily to another building some 2 miles away.

Naturally, the school had trouble attracting bright students—and about 40 percent of those who entered dropped out before graduation. Only 72 apprentice bakers, butchers and cooks were graduated last June.

The Food Trades School is not an exceptional case. Most of New York City's vocational schools are so dilapidated that it would take, I was told, 10 or 15 years of construction to replace them. Other big cities provide similar examples of vocational education's low estate. Of Chicago's eight vocational schools, only one was built for the purpose. The others are converted old elementary schools. The city's Commercial High School is jammed into a 96-year-old structure. In Kansas City, Mo., the lone, 1890-vintage vocational school is located in the town's worst slum, and so repels students that enrollment has dropped 60 percent in recent years.

Vocational education also has trouble attracting qualified teachers. For years, local teachers' associations refused to accept vocational instructors as members. Teaching a boy to repair a car or to work with sheet metal did not fit the academic concept of the calling.

And there is the pay. An educator who has headed three school systems points out, "If you want to hire a bricklaying teacher, you have to compete with a contractor." This educator has never been able to hire a bricklaying teacher.

Chicago could use several hundred more vocational instructors. A full-time recruiter scours industry for them—but he might as well be recruiting for Casey Stengel's Mets.

Attracting capable and motivated students is just as difficult. Status-minded parents steer many students elsewhere. Too often the vocational school is regarded as a kind of educational purgatory where school system failures and problem children are sent to do penance.

Even when vocational high school principals win the right to screen applicants for admission, the choice among candidates is so narrow that performance is frequently unimpressive. At New York's new Aviation High School, for example, 44 percent of the students leave before graduation, and of the remainder so few master the aviation mechanic's trade that only 1 of every 7 is recommended for the Federal Civil Areonautics Board licensing examination.

It is time to ask ourselves: What is public education for? Dr. James Conant, the educator-statesman, urges this answer: The educational experience of youth must be tailored to fit his need for his life's work. "There should be a smooth transition from full-time schooling to a full-time job, whether that transition be after grade 10, or after graduation from high school or college," says Dr. Conant.

Significantly, those relatively few communities which have faced up to the educational needs of the majority who will not go beyond high school have followed the line of Dr. Conant's answer. In Milwaukee, under a State law passed a half century ago, vocational education has been raised to first-class citizenship by being taken out of the hands of regular school administrators and given to independent vocational education boards with tax powers to raise their own funds. Milwaukee's independent board consists of two industrialists and two labor leaders. The city's school superintendent sits in as an ex officio member, and has a vote. The results can be seen in Milwaukee's central vocational school—the biggest institution of its kind in the country and a world showpiece as well. Last year, some 180 teams of observers, 70 from abroad, came to study at the school.

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Thanks to the skilled workers supplied by its vocational system, Milwaukee has become the "machine shop of America." And there is an additional dividend: when a non-academic-minded student gets job training that he can relate to his earning needs later, he remains in school. In contrast with the country's high school dropout rate of 40 percent, Milwaukee's dropout rate is only 5.5 percent, the lowest of any big city.

Allentown, Pa., another bellwether town in vocational education, goes a step further than Milwaukee. It ties schoolwork to on-the-job training in industry.

To begin with, Allentown's school administrators find out if a high school student intends to go on to college. If not, a guidance counselor discusses a vocation with the boy and his parents. On choosing 1 of 13 trades that range from cabinetmaking and auto engine work to TV repair and plumbing, the boy submits to aptitude tests. If the results are encouraging, he takes 2 years of shop-work in his trade plus regular academic work. In his senior year, high school counselors—cooperating closely with industry—place the boy in a part-time job in a garage or factory or with a building contractor. He then divides his time between class and job: 3 weeks in one, 3 in the other.

Allentown's work-study program solves key vocational education problems. The student learns to work with modern tools and equipment that his school might not be able to afford. He learns how to get along with adults. He works for pay with a skilled supervisor. Most important, he has something to work for: The job that will await him on graduation.

Allentown's work-study concept is gaining acceptance elsewhere, particularly in the South. But it will need help from educators, industry, and unions to take hold. For one thing, many school administrators frown on programs that take students outside the school. For another, most big corporate employers arbitrarily bar jobs to those under 21. In Allentown, school officials have had to place their work-study students mostly with small manufacturers, with garages, and with nonunion building contractors. (Most building-trade unions feel that work-study programs undermine their control and restriction of apprentice training.)

If our communities are to meet the job-training challenge, an overhaul of Federal Government practice is needed, too. The Federal Government is providing (in fiscal 1963) $56,650,000 in allotments to States for use in public school vocational education. As a rule, the States more or less match the Federal contribution. Since the Federal law is 45 years old, the way the aid is apportioned is geared to the needs of Woodrow Wilson's day.

Under the law, Federal money is doled out in seven categories in specified proportions. For example, more money is spent to teach girls to cook and sew than to teach boys how to work in industry. Also, about one-third of all available vocational education funds (Federal, State, and local) goes to training farmers, although farmers now constitute but 6 percent of the labor force. Meanwhile, less than 5 percent goes to training young people for saleswork—where many job opportunities exist.

Significantly, those communities that lead the way in vocational education disregard the Federal pattern and rely on their own resources. The most important task the President's Panel on Vocational Education could achieve would be to convince Congress to cut the restrictive strings on its vocational aid to States and let all communities spend the money as job needs dictate.

The Presidential Panel could also urge Congress to broaden Federal assistance to the new area vocational-technical school which cuts across school-district boundaries and so permits funds to go further. National defense education funds for such schools have already spurred Georgia, for example, to build 6 new area vocational-technical schools and to schedule another 20 for early construction. Connecticut has built 14 new area vocational-technical schools, and other States are making similar plans.

The lopsided picture of jobs begging for men while men beg for jobs suggests that something must be done to bring the two together. That something must be a new kind of schooling for today's needs.

Mr. PROXMIRE. Mr. President, I wrote to Mr. Wilbur Cohen, who is a real expert in the Department of Health, Education, and Welfare, one of the best informed men in Government in this field, to find out if this article is accurate. He said that it was, that it was prepared in cooperation with the Department of Health, Education, and Welfare authorities. He said it was a fine article and that we could rely upon it.

I ask unanimous consent that the letter from Mr. Cohen also be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., January 23, 1963.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Mr. Lester Velie's January Reader's Digest article on the needs in vocational education is a fair and accurate report on the situation mentioned in your recent letter.

Staff of our Vocational Education Division provided assistance and information in preparation of the material.

In recommending legislation to modernize and expand the Federal Vocational Education program, the administration is giving careful attention to the recommendations of the advisory panel on vocational education.

Thank you for your interest in this important program.

Sincerely,

WILBUR J. COHEN,
Assistant Secretary.

NEED FOR A NEW GROUP OF ECONOMIC ADVISERS

Mr. LAUSCHE. Mr. President, the President is in need of a new group of economic advisers. He is now surrounded by a group of men advising the adoption of a program that might lead to disaster.

The deception is that the more we spend and the less we tax, regardless of the deficit operations, the better off the United States will be.

These advisers advocate that every citizen should spend not reasonably nor liberally but extravagantly, and thus keep the economy moving. Neither in the fiscal policies of the Federal Government nor in the private life of the average family do these advisers ever mention that thrift is an indispensable virtue to success in life.

Never have these advisers said that our Government might be better off fiscally by cutting down expenses and thus being able to cut down taxes. On the contrary, they advise us to increase expenses and decrease taxes. A course that is a fraud and a deception of unpardonable flagrancy.

Never have they made the statement that savings can be achieved by thrift without increased income. Regardless of how rich we may be if we are unduly extravagant we can only fall into a most painful pit. On the other hand, with limited richness but with care in the expenditure of the individual's and the family's and the Government's money, positions of stability and strength can be reached.

The philosophy of these advisers who surround the President is that the citizen should spend everything he earns in the justified conviction that regardless of what he does to sustain himself the Government will provide for him from cradle to grave.

Thus we have before us this fantastic and unbelievable proposition that the more we spend and the less we tax the better off we will be.

About two and a half decades ago the principle was spend and spend, and tax and tax, to insure the improvement of the welfare of the people. That was a bad type of philosophy to follow. Now we have the advice that the more and the more we spend, and the less and the less we tax, and the more and the more extravagant we are, and the less and the less thrift—the better off we will be. I cannot subscribe to that policy.

It is now essential, more so than in any previous period in our history, that Congress get the Federal Government out of orbit and back down to earth. The budget that has been proposed is a challenge to the prudence and frugality not only of the Congress but also of everyone who believes that citizenship entails responsibility.

JOHN PETER ZENGER AWARD TO JOHN H. COLBURN, MANAGING EDITOR, RICHMOND, VA., TIMES-DISPATCH

Mr. GOLDWATER. Mr. President, considering the way in which news is being managed today, not merely from the Pentagon but also from other reaches of the New Frontier, it is very refreshing to learn of a newspaperman who will speak out against this in very clear and understandable words.

Recently, at the University of Arizona, the John Peter Zenger Award was made. It was given this year to John H. Colburn, managing editor of the Richmond, Va., Times-Dispatch.

Mr. President, since this is one of the most lucid arguments I have ever read against the practice with which we are confronted today, I ask unanimous consent that there may be printed in the body of the RECORD, so that my colleagues may have the opportunity to read about and to understand the dilemma in which newspapermen find themselves today, with the control of news that has been exercised by members of the New Frontier, the address by Mr. Colburn at the award ceremony.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN H. COLBURN, MANAGING EDITOR, RICHMOND, VA., TIMES-DISPATCH, TO ARIZONA NEWSPAPERS ASSOCIATION, UNIVERSITY OF ARIZONA, JOHN PETER ZENGER AWARD CEREMONY, TUCSON, ARIZ.

Today, as never before, the American people's guaranteed right to full and accurate information on the conduct of public affairs is in serious jeopardy.

The peril is more serious because most people are ignorant of their stake in the critical scrutiny of government by a responsible, informed press. The ignorance of the public largely is the result of a press that too often has been complacent about its responsibility to zealously seek out the truth. The press today could do much more to inform the public about the open and the insidious efforts to keep the truth from the people.

The Arizona Newspapers Association and the University of Arizona are to be congratulated for their foresight in focusing attention on this problem by the establishment of the John Peter Zenger award. It is a privilege to join the distinguished men who have been honored previously, and in accepting the 1962 award I want to pay tribute to the editors and reporters who have been so helpful to me in this field during the past 12 years.

My correspondence and my conversations with the late Harold Cross I will long cherish, because it was he who put the problem in the sharpest possible perspective—as a problem that was rooted in constitutional principles for the protection of the people, and not one that was a mere occupational hazard of journalism.

The recipient of the 1961 award, Clark R. Mollenhoff, is a shining example of what persistence can do to open channels of information. His book, "Washington Coverup" should be must reading for every newspaperman and journalism student. I carried it in a series of articles in the Richmond Times-Dispatch because I felt that the people should know more about what they have not been getting from Washington.

Today, as the result of the furor over news manipulation during the Cuban crisis last October, thoughtful people are more concerned about truth in news. Their right to truthful news is in jeopardy because the news manipulators have grown more confident as the result of their recent successes.

Let us make sure, in discussing the people's and the press' right to truthful information, that everyone understands that we are not discussing information that would imperil the security of this country by disclosing military information to a potential enemy.

The press has a big job in making this point to the people. The manipulators of news merely have to imply—they don't even have to state openly, just simply imply—that it is in the national interest to control news and they will receive widespread support from an unskeptical, unsuspecting and far too often naive public. Much of the press has gone along with this official security policy line without examining carefully its pitfalls and booby traps.

One of the most damning recent indictments of news control came not from the press, but from a Supreme Court Justice, William O. Douglas. It also is an indictment of some poor reporting and editing.

Justice Douglas in a Bill of Rights Day booklet said the "commonsense or informed judgment of people, which we trust in theory," has been undermined by censorship, secrecy and promotion. He mentioned specifically the Defense Department and the Central Intelligence Agency, and asked: "Why should CIA efforts to influence elections abroad be a secret to the American people when they are notorious in the foreign nation?"

Since World War II the press, says Justice Douglas, has had a tendency to skip the controversial, has sought the lowest common denominator, has been a victim of Government handouts, and too often has accepted them as gospel.

"The result," he said, "is a voice of conformity on foreign affairs when nonconformity at times would be the greatest public service."

But nonconformity is not what is wanted by the present administration in Washington.

President Kennedy, reviewing the handling of the Cuban crisis at his November 20 press conference, said that during the period October 22–28 "we attempted to have the Government speak with one voice." He made it clear that the "one voice" concept would be followed in any future period of crisis, and that the Government would make no apologies for withholding information that could not only affect security, but also the diplomatic relations with our allies.

Congressional support for this concept came during the Cuban crisis in a little-noticed report from a special preparedness subcommittee of the Senate Committee on Armed Services. The report said in part:

"If foreign policy is to have force and weight with our friends and our enemies our responsible officials must speak in unison.

"Adherence to established national and foreign policy can be assured only by a system of prior policy review, since even well-intentioned officials can inadvertently or unknowingly make a public statement which might result in substantial harm."

This committee was headed by Senator JOHN STENNIS and the only dissenter was Senator STROM THURMOND, who said: "The right decision is not likely to spring from the American people unless they are informed—fully and accurately informed * * * indeed, it appears that the State Department has made a concerted effort, to the limit of its power, to keep the facts from both the Congress and the people."

There is an interesting background to the Stennis report and the way the sections of the press quite often lose their perspective when they become emotionally involved over an issue in their editorial columns. Senator THURMOND had maintained that Pentagon censorship policies were being used to implement what he termed a "no win" policy in the speeches of high level military officers.

In the atmosphere of Washington conformity mentioned by Justice Douglas, the attitude of Senator THURMOND wasn't popular. So when Defense Secretary McNamara got the backing of President Kennedy to exercise the doctrine of executive privilege and refused to permit censors to testify and answer THURMOND's questions the McNamara stand was commended in many editorial columns. The same thing happened in the McCarthy hearings when executive privilege was exercised by the Eisenhower administration.

In both cases, Congress abdicated its right to gain access to all testimony so that it could learn the full truth of the controversial issues. In both cases, newspapers which should be dedicated to seeking the full truth—not merely aspects of it which tally with preconceived opinions—applauded the Executive edicts which suppressed full testimony.

In both cases, men who held unpopular and nonconformist views in the atmosphere of that period were denied their full day in court—a tactic that was tried but failed in the case of John Peter Zenger.

The colonial people of Zenger's time knew what it meant to be without truthful news. Remember, when Zenger was arrested in 1734 this was 42 years before the American Revolution, and 42 years before Virginia laid the foundation for the free press provision of our Bill of Rights by adopting a declaration of rights which said: "Freedom of the press is one of the great bulwarks of liberty and can never be restrained but by despotic governments."

The hot blood of freedom and liberty inflamed the nonconformist people of those days with a spirit that resulted in our independence. Today's conformist society is being managed from cradle to grave by Federal regulations; it is being lulled into a sense of security and affluence by a rocking-chair philosopher who is an expert at using modern communications to promote personal diplomacy and political policies.

Arthur Sylvester, the ex-newspaperman who is Under Secretary of Defense for Information, now has admitted that he spoke out of turn when he said that "in the kind of world we live in, the generation of news by actions taken by the Government becomes one weapon in a strained situation." He doesn't deny that this is being done or that he does not still believe the results of such news weaponry justify the methods. He simply realizes he was much too frank in his statements.

He is deserving of some kind of an award, though, for his candid approach to a problem that has existed in Washington for years. Sylvester, while trying to justify his position, went even further in a talk to Sigma Delta Chi in New York on December 6. In response to a question about a policy of news deception through half-truths, Sylvester made this startling comment: "It would seem to me basic, all through history, that it's an inherent Government right, if necessary, to lie to save itself when it's going up into a nuclear war. This seems to me basic."

That was Arthur Sylvester, a man who dictates the flow of news from the Pentagon. He qualified the right to lie by explaining that by government he meant the people, "since in our country, in my judgment, the people have the right to express and do express every 2 and every 4 years what government they want." But he failed to say how a people can intelligently express that right at the polling places if they are not truthfully informed about the affairs of government.

How often have you heard the expression—sometimes used facetiously—"You can't believe what you see in the newspapers"? Well, it is not hard to see that if a news deception policy or a policy of lying in the national interest catches on that there will be real substance for such a view.

To Louis Lyons, curator of the Nieman Foundation at Harvard, the news philosophy voiced by Sylvester sounded like a pitchman using hidden persuaders to sell deodorants.

"This is the philosophy of totalitarianism," said Lyons. He went on to add that "it is self-defeating, it forfeits public confidence. If the press did not resist and denounce it, our free press would be meaningless. It would not be believed."

Unless this policy is changed, getting the news will become the kind of game it is now with our Soviet experts—to try to read between the lines of the Soviet press—to interpret a poem as expressing policy—to seek hidden implications in a speech that is talking about something else.

My own investigation of Federal news-management control during the Cuban crisis disclosed that increasing efforts have been made by Federal officials since 1950 to manage and manipulate news of foreign policy, military affairs, and politics for propaganda as well as security reasons.

Newsmen who have the ability to dig will always be able to get the news, but the press as a whole must be more resourceful, more skeptical, more suspicious of press conferences, background briefings, and handouts, and more vigilant in informing the people when news barriers have been erected.

Incidentally, Washington news manipulators have no monopoly on deception. Conor Cruise O'Brien, former United Nations director in Katanga, accused the United Nations of deliberately falsifying the purpose of its first military action against the Government of Katanga in September 1962. Much still remains to be said about the recent United Nations offensive against Katanga, but already the story of the United Nations action in the Congo is a sorry record of official factual distortions and outright lies.

All evidence indicates that the policies of news control and manipulation—deception if necessary in times of crisis—will mushroom further unless the public, through Congress, demands a halt to such practices.

The House Subcommittee on Government Information, headed by Representative JOHN Moss, plans to investigate all aspects of the situation. If a formal inquiry is undertaken the committee should receive the backing and full support of every newspaper, large and small. This will be a real opportunity to document the extent to which the public is being denied information essential to its understanding of government in our modern world.

Already the Moss subcommittee staff has learned that the handling of Government information has been directed from the White House and that the President himself has made the basic decisions. These covered not only hour-to-hour monitoring of news management details, as was done in the Cuban crisis, but newsmaking events ranging

from the Pacific nuclear bomb tests to backstage greetings of Russia's Bolshoi Ballet.

The bomb tests are an example of press lethargy toward news control. No real effort or hue or cry to gain public support for press coverage were put up by editors when the White House refused to permit coverage last fall. This failure to protest may well have encouraged the administration in its news manipulation efforts for the Cuban crisis.

Sylvester said that he didn't want open reporting for reasons of national security. But he also told me that propaganda control was a basic reason. This is what he said when I asked why he could not clear pictures of the tests which were made available to the Oakland Tribune: "In a propaganda war," said Sylvester, "when the United States finds itself under constant Communist attack, the President and his advisers have attempted not to give the Communist forces any opportunity for exploitation. It is the belief that widespread use of pictures * * * offers propaganda opportunities to the Soviet Union."

This explanation by Sylvester ignored the known fact that there were Soviet ships in the vicinity of the Pacific test sites and observers on those ships undoubtedly got their own pictures of the tests.

In other words, the information gathered by instrument loaded Russian ships near Johnston and Christmas Islands gave officials in the Kremlin a much better idea concerning the success or lack of success of the tests than Washington gave the American people.

The Moss subcommittee also found that under both the Eisenhower and Kennedy administrations the public has been deprived of full information on our missile and satellite programs. Moss told the California Press Association November 30 that the American people have no reliable source of information to match against Russian claims of space achievements because our information is released to fit national policy.

"This is the kind of news management," Moss said, "that causes grave concern, because it is such an easy step—if that step is taken in secret—from managing news about Russian successes and failures to managing news about our own space achievements."

What concerns me—and should concern everyone—is that if Washington officials can cover up Russian failures they can cover up our own. If the American people are deluded by Government control of news—or by outright deception—this becomes a dangerous threat to our free society.

But the fight to eliminate news controls and manipulation is not going to be won in a committee hearing. It must be launched at the grassroots in the tradition of John Peter Zenger, and it can be fought only by hard-hitting reporting in the public interest.

The public must be educated as to its stake in the program so that it can demand proper action from its duly elected officials—whether they be at the courthouse level or in Congress. Much of the secrecy that sprouts in Washington has deep roots which go back to counties and cities in all of our communities.

Editors of papers in the smaller cities often comment privately that they don't want to upset things because in a small community they must live and work with the public officials. These editors make no protest concerning closed meetings or executive sessions where decisions of public interest are made in secret in order not to upset the status quo.

Remember that John Peter Zenger did not represent a big organization when he bucked the colonial governor. Nor did he stop editing when they pitched him into jail. He kept right on until he was brought to trial 9 months later and acquitted in a case that established the principle of press freedom consistent with public rights.

Today we need more hard-nosed reporters of the Mollenhoff type who can dig for news and who take the handouts for what they are worth—propaganda to promote some cause, some program, or some individual.

There is too much tendency by reporters to work in packs and to depend on press conferences which have largely benefited the television and radio newsmen.

Young men and women coming from our journalism schools today often aspire to become political pundits rather than searchers for the truth. They are not being fired up during their educational years to aspire to do an exhaustive job of penetrative reporting to separate fact from propaganda. Perhaps the reason is that those who run the journalism schools do not see enough of this type of reporting in the newspapers.

Thoughtful people have been aroused by the evidence of conformity in news handling—by the evidence of news control and deception—the evidence of lazy reporting caused by "handoutitis."

Are we to be deprived, by insidiously managed controls and regulations, by our own poor performance, of this heritage of press freedom established by the Zenger case before there is a popular protest? By far the simplest and easiest way to report and edit a newspaper is for someone else to tell us what to print and when to print it. This is the pattern of so-called press freedom in totalitarian countries.

That was the pattern on the 4th of August, 1735, when Andrew Hamilton, 80 years old and physically infirm, but with a razor-sharp mind that had earned him the reputation of being the best lawyer in the British provinces of North America, stood in a jammed courtroom and pleaded Zenger's case before a seven-man jury of Dutch ancestry. These were British subjects, but descendants of proud people whose colony of New Amsterdam had been forcibly taken from them by the Duke of York in 1664.

In his summary, Hamilton put the issue squarely in these words: "The question before the court is not the cause of a poor printer, No. It may in its consequence affect every free man that lives * * *. It is the cause of liberty—the liberty both of exposing and opposing arbitrary power by speaking and writing the truth."

Zenger has gone down in history as the hero, but it was Hamilton who received the acclaim of liberty-loving patriots of that day. He was given a gold box containing the seal of the "freedom of the corporation" voted by the New York Common Council, and when he sailed past lower Manhattan on his way back to Philadelphia he was saluted by salvos fired from guns on several vessels.

The Zenger trial and verdict have been described as the "germ of American freedom." It gave the people a firm grasp on the most powerful of all weapons in the struggle against despotic power—the truth.

In this perilous nuclear era, the security of the Nation must be paramount. But our security can best be maintained by the full reporting of all the factual truth that is not harmful to the national military interest. During times of crisis, the press in all history has never wavered in its patriotism.

Since World War II we have been called upon to report unprecedented changes in our way of life—changes that we are still learning how to report. Developments in our social and scientific revolutions have erupted on our front pages day after day. It is little wonder that they have blinded many to the steady erosion of basic fundamentals of press freedom.

Of course, all of these new developments—especially the necessity for recognizing the intelligently reporting change—require new reporting and editing techniques. But there should be no sacrifice to the fundamental necessity of reporting the full basic truth.

Once this Nation establishes use of news as a weapon of national policy—a policy to lie if necessary—we have undermined the bedrock of our free society. Instead of deceiving an enemy, who will naturally be skeptical and suspicious of any move or statement we make, we will have destroyed the confidence of our own people in our national institutions.

The history of free government is a history of escape from the evils of suppressing or controlling or manipulating news.

If our press is to remain a powerful force for public good, how can we ignore this history? Will we just sit back and witness more of the people's rights chipped away? How long will we be content with news spoon fed by powerful bureaucratic and other propaganda organizations? How long, in short, will it be before we start to report, to dig for the whole truth—to exercise our editing rights by spiking the stories with misleading half-truths until we can uncover the whole truth for our readers?

Much remains to be done to inflame all newsmen and the people with the spirit of Zenger and Hamilton for freedom and independence. Unless we do this job we will forfeit our basic concept of press freedom to the news manipulators and the hidden persuaders.

In accepting the 1962 John Peter Zenger Award, I feel greatly honored—and most humble—and in conclusion I want to sound this warning: Only an enlightened public can guide its own destiny. This enlightenment can come only from a press that must be eternally vigilant to protect freedom of expression and freedom to pursue the whole truth as cherished, constitutional rights of the people.

Thank you.

OUR HERITAGE OF BOLDNESS

Mr. GOLDWATER. Mr. President, there appeared in the December 24, 1962, issue of Sports Illustrated a wonderfully written article entitled "Our Heritage of Boldness," written by Catherine Drinker Bowen. It is an article which I think everyone in the Congress should read, if he has not already done so, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR HERITAGE OF BOLDNESS

They were bold from the first. Bold in dreaming, bold in persistence. It is no mere boast, because they made their dreams come true. A man stood on the shores of Portugal and looked westward, nearly five centuries ago. From the way the winds blew, from the seasonal steadiness of them and the direction, the man conjectured there might be land behind these winds. A mariner might sail, and by dead reckoning—by the log, by the compass—he might find this land.

A wild thought, a bold dream, yet it came true; the land was found. Spain, all Europe, England heard of it. "The breath of hope," said Francis Bacon, "which blows on us from that new continent * * *," adding that Columbus had made hope reasonable. In these beginnings is something symbolic, something the American mind leaps to meet. The ships embarked, captained by freemen, adventurers. At the end of voyage, at the end of hazard, struggle, endurance and high gamble, our country was found. On a perilous horizon America took shape and was realized.

The years passed, and the generations. Not Columbus now but America herself made hope reasonable. Put it in terms of govern-

ment—1787: "We, the people of the United States, in order to form a more perfect Union * * * do ordain and establish this Constitution for the United States of America." Europe laughed. "We, the people." What kind of a phrase was that? Nowhere had so big a federation been attempted, nowhere so bold a vision entertained. In high good spirits and in deadly earnest, John Adams of Massachusetts wrote to the Virginians: "When, before the present epocha, had 3 millions of people full power and a fair opportunity to form and establish the wisest and happiest Government that human wisdom can contrive?"

Europe watched and waited. A government had been erected on the proposition that all men are by nature equally free and independent. Preposterous statement, subverting the established order. Nor did the Americans pause to argue their statement or bolster it decently with citation of ancient authority, after the fashion of the times. They simply declared certain "truths" to be "self-evident." Novus Ordo Seclorum, they wrote on the great seal of the United States: A new order for the ages.

Was ever a country, young or old, so brash? How serious, asked Europe, were these Americans? More importantly, how powerful were they and how long could they sustain this impudent program, which by its mere existence threatened ruling classes everywhere? Europe laid traps, offered bribes, threats, inducements, hoping to divide these United States and bring them low. A federation so large, embracing such diversified regions and interests, would surely fail, disintegrate, slip and slide of its own weight in one quarter or another. In the Old World only an occasional statesman saw into the future, as Edmund Burke in the House of Commons. "America," he said, "which at this day serves for little more than to amuse you with stories of savages and uncouth manners, yet shall, before you taste of death, show itself equal to the whole of that [British] commerce which now attracts the envy of the world."

It is a story often told, yet to Americans it does not grow stale. Threats from without only helped to solidify the Union. It was from within the real danger came. Ours was a country founded in a religious era by men of fierce fighting piety and dogma. Religion could have divided us; we had seen the religious wars of Europe and we were forewarned. From the first, Americans made a separation of church and state that was to remain profoundly significant, giving citizens a scope and a hope which nowhere else was entertained. "There is no argument," announced the Presbytery of Hanover, Va. (1776), "in favor of establishing the Christian religion, but what may be pleaded with equal propriety, for establishing the tenets of Mohammed by those who believe the Alcoran."

A bland statement, satisfied with merely setting forth. Thomas Jefferson, writing the Virginia Statute of Religious Liberty, said it more urgently—but this was a man who could not put pen to paper without leaving a trace of fire down the page: "Whereas Almighty God hath created the mind free our civil rights have no dependence on our religious opinions, any more than our opinions in physics and geometry."

What did these statements, these documents and declarations do for Americans individually, and how were men, singly, motivated thereby? Nowhere had these documents mentioned "the individual" or addressed themselves to him. Yet by this government and this system the American individual was freed exactly as if fetters had been struck from him. In Europe since time immemorial men had been divided into classes, "some to toil and earn, others to seize and enjoy." The U.S. Constitution provided for neither class nor privilege. All was mobile, a man could move up or he could slip down. It was a wholly unprecedented departure, and to Americans both immigrant and native born, it gave extraordinary scope. Neither the Declaration of Independence nor the Constitution claimed to make timid men courageous, lazy men active, or stupid men bright. But these documents allowed bold men to be bold; they unlocked doors, let Americans walk through, each one to his destiny.

Take it in terms of those men who opened up our western territory. In 1804 President Jefferson dispatched the Captains Lewis and Clark westward to map out a land route to the Pacific. For some 16 months the two traveled the wilderness, rode turbulent river waters, broke trail—careful always to draw their maps, record their meticulous pictured reports of birds, fishes, wild animals. On a rainy November morning of 1805 Clark looked westward from his mountain camp above the Columbia River and wrote, in his own phonetic spelling, "Ocian in view. O the joy."

Trappers, fur traders, the long hunters and the mountain men. * * * The Mormons carried fiddles across the Plains, and there was dancing within the circle of wagons below the dry western mountains. Bold men and women; scared, hungry, sick yet surmounting. * * * Daniel Boone with his yellow eyebrows and sharp blue eyes ran the forest trails in Kentucky, fast as an Indian. A quiet man, serene and easy, who ended up with an appalling series of debts paid, 50 cents left over and a reputation for rifle shooting that would inspire American boys for a century.

These were Americans, the American type. And they developed not alone because the frontier stretched before them, limitless and inviting. Other countries possessed virgin lands, timber, rivers, mines, rich plains. Yet could Daniel Boone be imagined anywhere but in America? "All power is vested in, and consequently derived from, the people." The impact of such ideas, entered upon unitedly, set down on paper, signed and sealed, can send a man on a very far journey.

But political ideals, like law, are of no use unless implemented. It was union which gave us power; it was the federal idea which gave us scope. Nevertheless, even in America the doubters still spoke out. National federation on such a scale was impossible, they said; it was impractical altogether. The country had grown too big for union. In 1828, an election year, Harvard College had a debate: "How can one man be President of the United States when it is eventually settled from Atlantic to Pacific?" The noes were victorious. The Nation would have to be cut up into republics, each with its separate president. Andrew Jackson could be president of Tennessee, John Quincy Adams of New England.

Thirteen States became 20, became 34. Through the terrible years, 1861–65, the Union held. When Richmond fell and the Civil War was over, citizens celebrated. In Boston, New York, Philadelphia, men stood on soapboxes, stood in pulpits to orate. But it was not the word victory that stirred them. "The United States," they said, like a refrain. At the word united, the crowds went crazy. Tears poured down men's faces. "Yes, sir," they shouted. "Yes, sir, you bet. The United States of America."

"I have often inquired of myself," said Lincoln, "what great principle or idea it was that kept this [federation] so long together. It was that which gave promise that in due time the weights would be lifted from the shoulders of all men, and that all would have an equal chance." To Americans an equal chance means a chance to excel, get ahead, win the race, beat the other fellow to the prize. Consider the year 1865, and a transcontinental railway to be laid. The scheme had been authorized by Congress. Two companies contracted for the work: Central Pacific, Union Pacific, the one to start laying track at Omaha, the other in California, and the tracks to meet eventually at Promontory Point, Utah. (A federation needs, above all, communication, interchange of commerce.) The railway has been called a work of giants; it was sparked and spurred by giants: Leland Stanford, Collis P. Huntington, Mark Hopkins, Charles Crocker, the engineer.

In whatever spirit the project had been conceived, before 2 years were out it had become a race and a competition, unequaled for magnitude in sporting circles or business circles before or since. It was a game, an epic, an American legend:

"At the head of great Echo,
The railway's begun.
The Mormons are cutting
And grading like fun."

Thousands of Chinese laborers from the West, Irish laborers from the East, competed under their bosses as to which gang could lay the most track, matched skill and endurance, or even fought it out on occasion with charges of dynamite and killed each other in the doing. Snow in the Sierras, higher than a man's head. Night storms in the hot Nebraska plains, the water foul to drink. By May 1869 the two companies were within a dozen miles of meeting. The whole country watched, getting the news by telegraph where it could. On May 10 the tracks came together, the last spike was hammered. In the cities cannon boomed, firebells rang, citizens paraded. Nobody remembered who had won, they only knew the goal was reached.

There was a joyousness about it, a shouting, lusty braggadocio. Competition. The great, reckless, expensive American game had begun. Followed now the captains of industry: steel kings, oil kings, railroad manipulators. In their day they were called promoters, and the word did not bear a pretty connotation. A rich land lay ready to their hand and they took it over: Astors, Vanderbilts, Rockefellers, men who founded dynasties that are powerful today. Choose the names as you will: Gould, Jay Cooke, Carnegie, Schwab, E. H. Harriman, J. J. Hill, J. P. Morgan. Bold men who, for the most part, came from plain beginnings, men whose imagination was limitless, who worked the country for what it was worth, using and discarding human material as they chose, and who built America into the greatest industrial productive system the world has ever seen. Pause for a moment on only one of them: Cornelius Vanderbilt of the New York Central and Hudson Railroads, who made himself an empire. Observe him at 73, still powerful, erect, pink-cheeked, with an opulent spread of whiskers, and boasting a young southern bride and a stable of fine trotting horses. "Law?" said Commodore Vanderbilt. "What do I care about law? Hain't I got the power?"

These men seized opportunity and used it; such a chance would never recur. Over against them rose the labor leaders, Americans made bold in their turn by desperation. Uriah S. Stephens and Terence V. Powderly of the Knights of Labor, Samuel Gompers and, much later, the towering, scowling, well-nigh symbolic figure of John L. Lewis. Pushing along with them on the road came the bold men and women of moral protestation, fighting corruption in business and politics, fighting the evils of a too rapidly expanding industrialization. Ida Minerva Tarbell attacked the princes of Standard Oil, drove her lance against giants and lost the fight, but made her voice heard. Governor Altgeld, of Illinois, dared to pardon the anarchists after the Chicago Haymarket riots. Henry George, the visionary, promoted his single tax, ran for mayor of New York and polled more votes than Theodore Roosevelt. Jane Addams, Jacob Riis fought the city slums. The suffragettes and the

temperance ladies marched with their banners: Susan B. Anthony, Lucy Stone, Anna Howard Shaw, Frances Willard, Carrie C. Catt, and Carry Nation.

Saints or crackpots, America had room for them all. In so vast a country, so polyglot a population there is always a powder keg somewhere, in our own time the grave problem of racism. James Meredith in 1962 walks in to the University of Mississippi through a hostile mob. (Can anybody say young Meredith lacks the essential quality of an American, and the essential boldness?) "If Governor Barnett keeps this up," says Meredith, "I may not vote for him." A beautiful understatement, wry, hard as Vemont granite. Wrote Walt Whitman:

"I swear I begin to see the meaning of these things.
It is not the earth, it is not America, who is so great,
It is I who am great, or to be great—it is you up there; or any one;
It is to walk rapidly through civilizations, governments, theories,
Through poem, pageants, shows, to form great individuals."

The quiet men, the thinkers, writers, philosophers who knew how to express the American spirit—these also proved bold in their time. Emerson, Thoreau, Mark Twain; William James, John Dewey; * * * Hemingway, Faulkner, Robert Frost; each name conveys an American era. Consider also the builders, the innovators who altered the face of our cities: Louis Henry Sullivan, father of the skyscraper. We see him as a youth step from an eastern train to the open shed of the Chicago station after the great fire of 1871. He looks toward the city, ruined and in ashes. He raises a hand, stamps his foot among the crowd and cries out aloud, "This is the place for me." We remember, too, the Roeblings, father and son, engineers for the Brooklyn Bridge. Washington Augustus Roebling, the son, at 35 was carried out unconscious from the caissons beneath the East River, suffering from the bends. He did not recover and suffered constant pain. Yet for 10 years he directed work from his room overlooking the river, struggling not only against illness but against the corruption of contractors and city politicians who sought to defeat him and the bridge. Roebling saw his work completed, saw the cables swing from tower to tower and fireworks zoom across the sky on the night the bridge was opened.

Since the first American beginnings, bold men have been allowed to build, to invent, to roam the country at will. No passport, no redtape halts them from State to State. Through two world wars the system has held; the Union has held, and the vision. Under it our country has grown so great that we find ourselves embarrassed, apologetic. We stoop our head like a man too tall for a doorway; we talk ourselves down and experience twinges of guilt at our own size and power. We are materialistic, we say further, and look embarrassed. We want to be comfortable, live well—and not only the rich want it and claim it, but everybody. And is that then evil, is that a betrayal of trust, the final American irony? Impossible to believe it. True, we have betrayed the fathers more than once. In fear, in greed or mere human cussedness we betray them every day. But still we know the dream is there, the vision and the opportunity. We would fight for it, die for it.

And what a springboard to rise from, this notion of government by consent of the governed. It is like a trampoline. Jump, and you are in the air. A distinguished American physicist, director of a radiation laboratory in California, lately expressed it in his own way, succinctly, as becomes a scientist. "There are very few things in this country that really can't be figured out," said Dr. John Stuart Foster, Jr. "You can excel. You just can."

America's role is global, now. The United States has won to a sophistication the world finds surprising; we are a little surprised by it ourselves. Not Paris, not London or Rome or Berlin or Madrid is today the center of the world's art and music—but New York. When astronauts compete they compete not with Californians or Nevadans but with the world. The great steel companies look over their shoulders not to see if Pittsburgh or Bethlehem is overtaking them but if Japan or Germany is catching up. Thirteen States have become fifty. At each new domestic crisis we ask ourselves in momentary panic if among these diverse sovereign interests our Union can hold, and if our constitutional democracy is equal to such a strain. Yet we know that it is equal and will hold.

America's role is global. Yet we have not lost our good provinciality, the qualities which make our strength and which define the genius of our independence. The bold men still go their way. Europe knows it. Even while expressing contempt (or is it envy?) of our material welfare, from time to time Europe perforce acknowledges the American quality. In 1958–60 the United States sent an exhibition of paintings to Europe. "The New American Painting," the show was called; it went to eight countries. Comments ranged from Berlin to Barcelona to London. And the critics might have been writing not of painting but of skyscrapers or of Charles Lindbergh or Henry Ford I or the launching of space rockets. "Americans are world travelers and conquerors. They possess an enormous daring. * * * The quality of adventure is here, a pioneering sense of independence and vitality. * * * The exhibition offers that climate of unconstraint which never fails to strike anyone traveling to the United States for the first time. * * * These," said a final critic, "are other myths, other gods, other ideas, different from those prevailing in Europe."

Long ago, Americans found these gods, these myths and made them their own. Surely it is these myths and these gods which still propel us, still inspire and send us on our journeys? Commander Schirra in his space capsule; Scott Carpenter, the one-time hot rodder, problem boy from Colorado who was given his American chance and grew to heroism—these are bold men indeed. Yet without the climate of unconstraint that Europe speaks of, they might never have found their opportunity. Two hundred years ago this climate was deliberately created and confirmed by men brave enough to launch a revolutionary government, men wise enough to create a Constitution expedient, workable, elastic—a government under which the bold American still finds scope.

ADDRESS BY LEROY COLLINS, PRESIDENT, THE NATIONAL ASSOCIATION OF BROADCASTERS, LINCOLN, NEBR.

Mr. HRUSKA. Mr. President, Gov. LeRoy Collins, president of the National Association of Broadcasters, Wednesday night delivered an interesting address to a legislative dinner of the Nebraska Association of Broadcasters in Lincoln, Nebr.

The speech was remarkable among other good reasons because Governor Collins is perhaps best known by millions of televiewers as the man who presided at the Democratic National Convention in Los Angeles 2½ years ago. It would be reasonable to expect that he would be a stanch supporter of the New Frontier.

But in this speech Governor Collins speaks in stirring defense of the old frontier and aims his critical fire at the Federal Communications Commission's New Frontier-type activities in connection with hearings on local programing by the three Omaha television stations.

He stated that to have an orderly means of employing the channels and frequencies for television and radio, there must be an orderly allocation procedure. This only the Government can do. The Government also must exercise the judgment, highly subjective at times, of who, based upon qualifications and service proposals, should be granted broadcast licenses. Furthermore, the Government has a range of lawful power to revoke or renew such licenses as the public interest may require. But at this point, Governor Collins in his speech stated:

This procedure does not contemplate, however, that the Government will thus be empowered to exercise any control over program content. On the contrary, the Communications Act establishing our broadcast system specifically and wisely denies to the Government any right of censorship. This great power is reserved to the people, themselves. And, believe me, they can and do become quite articulate in expressing their feelings. This is as it should be.

The basic grievance Governor Collins expressed against the Federal Communications Commission was in regard to the hearing scheduled in a few days on local programing in Omaha. He flatly said the hearing is not in the best interests of broadcasting, is not in the best interest of the public, and is not good government. He gave reasons—sound ones, some of which are stated thusly:

In the fine city of Omaha there are three licensed television broadcasters. The FCC has found them to be fully qualified to enjoy this privilege. There have been filed with the FCC no complaints about the service of any of them—not from any Congressman, not from any citizen, not even from any Federal inspector, that anyone knows about.

As a matter of fact, just 6 months ago the Commission granted these same stations renewals of their licenses for another 3 years, and it must be presumed that the Commission, at that time, fulfilled its statutory obligation of ascertaining that the public interest would be served thereby.

The fact is that these stations do not require a government-sponsored hearing to tell them what the people of Omaha want or need. As all responsible broadcasters, they are constantly reviewing and seeking to improve their programing. They are committed to serving Omaha and its environs as their best judgment dictates based upon an intimate, direct, personal knowledge of its life and character.

Without any stated grievance, without any charges of any kind made, with no bill of particulars specified, the stations are summoned to a public hearing. The effect? Here is what Governor Collins stated in his speech:

The effect, of course, has been to suggest failure where there has been success, to impugn the motives and efficiency of the management of these stations where there has been full confidence, to create doubt where there has been faith, to divert the personnel and resources of these stations from their broadcast duties to the development of defense against unknown charges and implied wrongs.

Governor Collins calls this irresponsible government and meddling government. He says it is "government poaching on lands properly devoted to free enterprise, hoping to flush some unknown bird it can shoot down, but feeling that whether it finds any bird or not, it can reap public favor just by openly hunting for one."

Mr. President, this kind of "poaching" has been going on for some time in this administration and I applaud Governor Collins for his courage in defying his political associates in speaking the truth about the activities of some of them in communications industry.

The feelings of Nebraskans generally is well indicated by a resolution approved by a 38-to-0 vote in Nebraska's unicameral legislature. The resolution was introduced by Senator William Moulton, of Douglas County. In it the unicameral expressed and registered "its strong opposition to the scheduling of this public hearing by the Federal Communications Commission without just cause or reason, believing this action constitutes an unwarranted intrusion by the Federal Government into the freedom of broadcasting, and the affairs of this sovereign State."

I ask unanimous consent that the full text of Governor Collins' remarks may be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY LEROY COLLINS, PRESIDENT, NATIONAL ASSOCIATION OF BROADCASTERS, BEFORE A LEGISLATIVE DINNER OF THE NEBRASKA ASSOCIATION OF BROADCASTERS, THE UNIVERSITY CLUB, LINCOLN, NEBR., WEDNESDAY, JANUARY 23, 1963

A few weeks ago, I saw reported in the press a speech made by a distinguished American, Chief Justice Earl Warren, of the U.S. Supreme Court. The main thrust of his remarks was, first, the need of American business for a stronger dedication to ethical and moral standards and, second, the need for a new breed of professional men to sell this kind of advice and counsel to the troubled businessman.

With the first proposition—the need of stronger devotion to ethical standards—I heartily agree, but I am not ready to admit that American businessmen need to have explained to them, by people with specialized training, the difference between right and wrong—between truth and deception, between a course of honor and one of dishonor. If this kind of competence cannot be developed at the hearthstone, in the Sunday school and otherwise, as a part of man's basic equipment, then we are indeed in a sad condition as a people.

But the Chief Justice is dead right in his contention that the whole future of American business is dependent upon the ethical standards of American businessmen and their ability and willingness to discipline themselves. (Nor is this need limited to the business community. It is basic to all human endeavor.)

Without this capacity and will, we would revert to the instincts of the jungle, and in a moral wilderness we would soon find ourselves groping for a strong-arm government to save us from chaos and destruction. And there are those who will argue, with substantial documentation to support their claims, that in this good land of ours we are now making a steady approach to precisely that state of affairs.

Many centuries ago the Greeks developed a civilization supported by a system of self-government that flourished for many years. It provided a high degree of personal freedom, but little order—and in time it failed. The Romans came along later—and they, too, were highly successful. They developed a high degree of order, but with little freedom—and that system failed, also. From these two civilizations, we have derived much of the culture that has come to be known as Western democracy. We learned the virtue of freedom from the Greeks, the necessity for order from the Romans. The manner in which we have been able thus far to blend these interdependent factors—freedom and order—accounts for the stability of our society.

In American business we are confronted with the constant struggle to keep free of government control, but at the same time voluntarily to impose upon ourselves the measure of self-discipline which is essential to the public welfare in a changing society. Only thus can we avoid the vacuum of unmet needs into which a democratic government by its very nature would surely become drawn.

To accomplish this requires the genius, and challenges, the character, of American competitive enterprise. The effort is made the more difficult because the forces of freedom are divided and often are warring with each other. Those who want to achieve a status of responsible freedom are frequently opposed not only by those who look to the Government to remedy every ill, but also by those who are determined upon a course of freedom without responsibility. The ghosts of both the Romans and the Greeks combine to force us to continued effort to avoid their frustration and ultimate doom.

It is the clear purpose of the National Association of Broadcasters and its leadership to encourage constantly the improvement of the service of broadcasting to the people. We can beseech the Government to keep its hands off, but deserve little sympathy if we are unwilling to maintain order and progress in our own house.

This is the reason that the association has placed so much emphasis in recent years upon the development and practical application of self-promulgated codes of good practice in both radio and television—codes that are working, believe me, in upgrading programing and advertising practices.

Here is a conscientious, dedicated effort on the part of a great industry voluntarily to improve its product and control its actions in a responsible manner. Our code programs are not yet developed as they should be. They are not yet supported by all the broadcasters who should be behind them. But, even so, they now represent the most significant force for self-regulation in American competitive enterprise. They are, indeed, the best example in the world today of free businessmen voluntarily subordinating immediate individual profit for their collective professional advancement and for the service of the public welfare in a free society.

As we in NAB support with vigor our program of self-regulation and self-improvement, we oppose with all our might the unwarranted advance of Government which seems to be determined to make inroads into areas in which it has no sound right to operate.

In broadcasting, the newest and by all odds the most dynamic means of mass communication, the technological reasons for licensing by Government are acknowledged. If we are to have an orderly means of employing the channels and frequencies for television and radio, we must have an orderly procedure for allocating them. This only the Government can do.

The Government also must exercise the judgment, highly subjective at times, of who, based upon qualifications and service proposals, should be granted broadcast licenses. Further, the Government has a range of lawful power to revoke or renew these licenses as the public interest may require.

This procedure does not contemplate, however, that the Government will thus be empowered to exercise any control over program content. On the contrary, the Communications Act establishing our broadcast system specifically and wisely denies to the Government any right of censorship.

This great power is reserved to the people, themselves. And, believe me, they can and do become quite articulate in expressing their feelings. This is as it should be.

I have a very basic grievance I wish to express tonight against the Federal Communications Commission.

First, I wish to repeat that the hearing on local programing soon to be commenced in Omaha is not in the best interests of broadcasting, is not in the best interests of the public, is not good government.

In the fine city of Omaha there are three licensed television broadcasters. The FCC has found them to be fully qualified to enjoy this privilege. There have been filed with the FCC no complaints about the service of any of them—not from any Congressman, not from any citizen, not even from any Federal inspector, that anyone knows about.

As a matter of fact, just 6 months ago the Commission granted these same stations renewals of their licenses for another 3 years, and it must be presumed that the Commission, at that time, fulfilled its statutory obligation of ascertaining that the public interest would be served thereby.

The fact is that these stations do not require a government-sponsored hearing to tell them what the people of Omaha want or need. As all responsible broadcasters, they are constantly reviewing and seeking to improve their programing. They are committed to serving Omaha and its environs as their best judgment dictates based upon an intimate, direct, personal knowledge of its life and character.

Notwithstanding these circumstances, and with no importuning from any known source in Omaha, the FCC decided to put these stations on the mat by holding this hearing to which anyone with a grievance was urged to come and publicly air it. The effect, of course, has been to suggest failure where there has been success, to impugn the motives and efficiency of the management of these stations where there has been full confidence, to create doubt where there has been faith, to divert the personnel and resources of these stations from their broadcast duties to the development of defenses against unknown charges and implied wrongs.

This is irresponsible government. It is meddling government. It is government poaching on lands properly devoted to free enterprise, hoping to flush some unknown bird it can shoot down, but feeling that whether it finds any bird or not, it can reap public favor just by openly hunting for one.

I am told that the FCC really had no special reason for picking on Omaha, that it could just as well have been some other city and that it well might be next year, that they were just looking for a city of Omaha's approximate size and general broadcast service; and by chance Omaha just turned out to be the one.

What is this, government by roulette?

As a representative of broadcasters, I emphasize again that we are determined to keep broadcasting free not just for the benefit of broadcasting and broadcasters, but because we well know that broadcasting is the guardian of the freedom of all.

This does not mean that we insist upon a right to squander the privilege of broadcasting or that anyone should be allowed to stay

in this business who is not meeting the obligations imposed upon him for serving the public interest.

Nor does it mean that a public hearing cannot be very properly held in a local community when the right of a broadcaster to serve that community is at issue in an appropriate proceeding.

But it does mean that we in broadcasting demand that the FCC cease its efforts to govern by harassment, by needling, by nibbling, directed indiscriminately against all broadcasters.

We demand that the FCC, if it has just cause to question the capability of any broadcaster, or his good faith in serving the public interest, place that license squarely on the line in a proper renewal or revocation hearing, and to stop impugning and embarrassing, and handicapping the mass of good broadcasters for what may be the sins of a very few.

The oriental philosopher, Lao-Tze, once said: "Govern a great nation as you would cook a small fish; don't overdo it."

Broadcasters believe this is sound philosophy. It is a very old frontier, but the kind we must always keep new.

My concern over the forthcoming FCC expedition to Omaha goes much deeper than the inconvenience and trouble such will cause the broadcasters there. In fact, I confidently predict that when this hearing is concluded the record will reflect great credit to these broadcasters. I am far more concerned about the indirect consequences—the effect on freedom of communications which is so vital to our national well-being, and perhaps to our survival. It is this concern which has prompted me to dwell upon Omaha at such length this evening, and before this distinguished audience.

Those of us in broadcasting, and you who serve in Government, have much in common; we both seek the approval of our constituents, we both must be responsive to public need, we both must be free to exercise our own judgment, and we both have a basic obligation to serve the public interest. We have a stake in the freedom of each other, and the public has a stake in both.

We are living at a difficult and perilous time in history. The great Western civilization, which has borrowed so wisely from the Greeks and the Romans, now faces its own test of endurance—and the threat which hangs heavy over us is not merely the failure of Western civilization, but the extinction of all civilization. Never before has the world faced so ominous and final a verdict.

Our system of modern electronic communication has a vital role to play in the outcome of this world struggle. Man now has the power, through broadcasting, to reach, to inform, to influence, and to enlighten his fellow man on a scale heretofore unheard of. Never before has this been so desperately important, for knowledge and truth are our best hopes to build a nation and save a world. But this power of communication may be used, or it may be misused. The totalitarian state thrives on its misuse. The free state thrives on its full use.

Let us not be satisfied with the present state of broadcasting in this country, but at the same time let us recognize that no other system in the world can match it.

Let us not hesitate to criticize its failures, but at the same time let us be willing to acknowledge its marvelous successes.

Let us not tolerate its misuse or its lack of use, but let us do nothing to blot out the climate of freedom which is necessary to its continued growth and ever-expanding service.

Let us apply to broadcasting the principles which we have inherited from the past—the virtue of freedom and the necessity for order vitalized by a full commitment to action and progress befitting the new opportunities of our day in a free society.

FEDERAL POWER COMMISSIONER MORGAN SPURNS SECOND TERM

Mr. PROXMIRE. Mr. President, in a column published this morning in the Washington Post, written by Mr. Drew Pearson, it was reported that Howard Morgan of the Federal Power Commission has written a letter to President Kennedy declining reappointment as Commissioner. This is a most unusual action.

As Mr. Pearson points out, being a member of the Federal Power Commission means being in a very honorable and important position, a position of great power, and Mr. Morgan apparently was enthusiastic about the position at the time he was appointed. However, Mr. Morgan, according to Mr. Pearson, said that he was resigning because he "did not come to Washington to be kept busy writing dissents." He finds himself in the position of being a lone Commissioner in one dissent after another, apparently, on matters which, in his judgment, affect the public interest and which, in my judgment, affect the public interest adversely.

In other words, the oil gang and the gas gang and the people who should be regulated are winning one fight after another on the Federal Power Commission.

This does not surprise me at all, in view of the recent appointments of two Commissioners. One was Mr. Harold Woodward and the other was Mr. Lawrence J. O'Connor, of Texas. I vehemently opposed both nominations. In the case of Mr. O'Connor, I held the floor for 34 hours and spoke for 26 hours against confirmation of the nomination.

Only a few Senators voted against this nomination. I think it is necessary, though, when we receive reports concerning outstanding public interest appointees to the Power Commission, who find they cannot remain on it because they are losing one fight after another, Senators, who believe strongly in the public interest, should raise their voices in the Senate in connection with future appointments. We should let it be known that we intend to make even tougher fights than we have made in the past, do all we can and use all our influence as Senators to urge the President to make appointments of persons who have the public interest at heart and who fight hard for the consumer. Heaven knows, he is the forgotten man in our economy.

I ask unanimous consent to have printed at this point in the RECORD the article by Drew Pearson entitled "FPC Commissioner Spurns Second Term," which was published in the Washington Post of today, January 25, 1963; and two press releases, one on the O'Connor nomination, which I issued at the time I opposed the appointment and which is dated July 26, 1961, and one on the Woodward nomination, which I issued at the time I opposed his appointment, dated March 28, 1962.

There being no objection, the article and news releases were ordered to be printed in the RECORD, as follows:

FPC COMMISSIONER SPURNS SECOND TERM

(By Drew Pearson)

Seldom has a commissioner of a powerful regulatory body told the President he will no longer serve on a commission which regulates the gas, oil and electrical industry of the Nation.

However, Howard Morgan of the Federal Power Commission has just written such a letter to President Kennedy. He has declined reappointment as a commissioner and has said flatly that the President has not lived up to his promise to appoint men who have the interests of the American consumer at heart.

The Federal Power Commission is the only regulatory agency to which Kennedy has appointed five new members. With every other Commission he has had Republican holdovers. But, owing to death and resignations, he has appointed every man to the agency which regulates the gas pipelines and the big power companies.

However, Commissioner Morgan has made it clear in talks with western Senators that the Commission is stacked in favor of the oil, gas and power companies.

"I did not come to Washington to be kept busy writing dissents," he has told western Senators.

Commissioner Morgan expressed his regret over this fact and recalled that men like Senators George Norris, of Nebraska; Hiram Johnson, of California; and Gifford Pinchot, the Bull Moose Governor of Pennsylvania, had crusaded and sacrificed to write a great law protecting the American public only to have it sabotaged by the appointment of personnel who did not believe in enforcing the law.

ELECTION PLEDGE

During the presidential campaign Mr. Kennedy was highly critical of the Eisenhower policy of appointing industry-minded men to the regulatory commissions. And at Wittenberg University, Springfield, Ohio, on October 17, 1960, he made a ringing pledge that his appointees to the regulatory agencies would represent the public.

"No Federal appointee to any public regulatory agency shall represent any view other than the public interest," pledged the future President. "Appointments to such agencies shall be made with the advice of those knowledgeable in the field, but shall not be dictated by those with vested interest in the appointment."

However, Commissioner Morgan, who formerly served as the Public Service Commissioner of Oregon, has turned out to be the only Kennedy appointee to the FPC who has consistently bucked the utilities.

For, once Mr. Kennedy was elected, he appointed Lawrence J. O'Connor, a Texas oilman, to the Commission; also Harold Woodward, a Chicago utilities lawyer who had represented public utility cases while serving as Assistant Commissioner of the Illinois Commerce Commission (under Federal practice this would be a conflict of interest).

Joseph Swidler, former member of the Tennessee Valley Authority, whom Mr. Kennedy appointed as FPC Chairman, has reversed his previous public power position and has voted consistently with the power, gas and oil interests.

When the Commission voted to require the giant El Paso Natural Gas Co. to refund rate increases which El Paso had put into effect without official approval, Chairman Swidler held up the final opinion 3 months trying to make up his mind. He wanted to vote a refund of only $44 million. Commissioner Morgan held out for a $68 million refund, got the support of Commissioner Charles R.

Ross, the Vermont Republican, and after 3 months' delay, Chairman Swidler finally came around to their figure.

But in case after case involving electric power companies the decisions have been 4 to 1 with Commissioner Morgan dissenting.

That's why Morgan has written his letter to the President declining to accept reappointment for another term.

PROXMIRE OPPOSES NOMINATION OF LAWRENCE O'CONNOR TO THE FEDERAL POWER COMMISSION

Senator WILLIAM PROXMIRE, Democrat, of Wisconsin, July 26, appeared before the Senate Commerce Committee to fight the appointment of Texas Oilman Lawrence O'Connor to the Federal Power Commission.

The Wisconsin Senator told the committee: "I oppose O'Connor's confirmation because he is obviously an industry man. Even before he is appointed, O'Connor is of, by, and for the industry he is appointed to regulate.

"During the past 2 years, three gas rate increases put into effect by the company O'Connor worked for until 1958 have gone unchallenged by FPC. The oil association of which he was a longtime member seeks actively to get the Federal Power Commission out of natural gas regulation.

"Until he entered the Interior Department 2 years ago, O'Connor was a consultant to gas and oil companies. It is a shocking fact that the new FPC Commissioner's principal employment has been as vice president of a Texas oil and gas company.

"Appointing O'Connor to the FPC is like appointing Mickey Mantle to umpire Yankee baseball games. It is about as fair as a fourth strike. It is about as ethical as brass knuckles.

"Men with oil industry backgrounds are already serving as Navy Secretary and Assistant Secretary of the Interior. Oil has become the tragic Achilles heel in an otherwise splendid public interest administration.

"The FPC itself has refused to obey Supreme Court directives to regulate natural gas at the wellhead. Gas companies have socked the consumer with never-ending rate increases, because the FPC can't bring itself to act in holding rates to the reasonable levels required by law. Twenty-seven million American gas-consuming families are suffering exploitation because the FPC has gone on a sit-down strike against the consumer.

"Last week was Captive Nations Week—well, this is Captive Regulatory Commissions Week—starring the Federal Power Commission in the grasp of the natural gas industry.

"During the past 12 years, the cost of natural gas for home heating purposes has risen an appalling 44½ percent. (Natural gas companies have been charging all that the market will bear, and then some.)

"But, strangely, the FPC has taken no action in pruning increases. Homeowners who bought stoves and furnaces when gas was cheap are now paying heavily for the inaction of the Federal Power Commission.

"A year ago, four Federal Power Commissioners out of five wanted to get the FPC out of the gas regulation entirely. The FPC has been, and continues to be, the most infamous example of a regulatory agency falling captive to the industry itself.

"The consuming public hasn't had a chance because the gas industry has had the best legal, statistical, technical brains money can buy, lobbying the Commission from the outside.

"With O'Connor's appointment they will have their boy on the inside. The public must have commissioners dedicated to fight for the public right above any private-special interest—men who will stand up to terrific gas industry pressure. Is anyone so naive as to argue that O'Connor is this kind of man?"

STATEMENT BY SENATOR WILLIAM PROXMIRE, DEMOCRAT, OF WISCONSIN, ON THE NOMINATION OF HAROLD C. WOODWARD TO THE FEDERAL POWER COMMISSION

The Woodward appointment to the Federal Power Commission in effect repudiates the President's March 15 message on protecting the consumer interest.

In that message the President said:

"Consumers are the only important group in the economy who are not effectively organized, whose views are often not heard. The Federal Government—by nature the highest spokesman for all the people—has a special obligation to be alert to the consumer's needs and to advance the consumer's interests."

These noble phrases have a hollow ring in the light of the nomination before the Senate today. It is a matter of record that the most flagrant trampling on the consumer's interests in recent years has been in the area of gas, power, and utility prices.

I am opposed to the Woodward nomination for three reasons:

The nominee lacks qualifications, his record shows no evidence of devotion to the public and consumer interest in utility rate regulation, and he has shown a conspicuous lack of sensitivity regarding conflicts of interest.

1. In the hearing Woodward was asked if he was familiar with the Phillips Petroleum case, the most important Supreme Court decision on the regulation of gas rates. He replied, "No; I am not."

This is like an umpire of a baseball game saying he doesn't know how many strikes make an out.

Instead of being unfamiliar with the Phillips case, a new Federal Power Commissioner should be an outstanding authority on this landmark decision. At the very least, Woodward's ignorance about the Phillips case is an alarming symptom of lack of qualifications for membership on the FPC.

2. At the hearing Mr. Woodward indicated that he handled hundreds of cases for the Illinois Commerce Commission having to do with rate increases, and that in most instances—not in all cases but pretty close to it—he approved the increases.

Standing by itself this statement would not be conclusive. But in the absence of any indication that Mr. Woodward has ever shown any regard or concern for the consumer interest, the statement raises a serious doubt.

3. The record shows that Mr. Woodward held common stock in a company regulated by the Illinois Commerce Commission, while he was a hearing examiner for many years.

The statutes of Illinois clearly and specifically prohibit such conflict of interest, be it direct or indirect. Mr. Woodward's lack of judgment and sensitivity to what the laws of his State require raise a third serious doubt about his fitness to be a Federal Power Commissioner.

Above all this nomination is cruelly disappointing because the administration failed to appoint an outstanding authority on Federal power regulation, someone who knew his way through the thicket of complex argumentation which surrounds gas and power regulation. Such a man should have the skill to cope with the lavishly financed top legal brains hired by the private companies, who are often opposed only by the underpaid, understaffed corporation counsel of a consuming city.

ELECTORAL COLLEGE REFORM

Mr. SALTONSTALL. Mr. President, I have joined with the Senator from Tennessee [Mr. KEFAUVER], and several of my colleagues again this year in sponsoring legislation to reform our present electoral college system of electing the President and Vice President of the United States. This legislation proposes a proportional representation plan as the method for correcting the seriously defective unit-rule system under which the electoral college now operates. It would more accurately measure the nature of the popular vote in presidential elections.

A proportional representation proposal was passed by the Senate in 1950 by a strong bipartisan vote of 63–28. The Constitutional Amendments Subcommittee of the Senate Judiciary Committee held hearings last year on this and other proposals for electoral college reform. The joint resolution which I cosponsored last year and am sponsoring again this year incorporates the provisions of the previously approved legislation and adds certain new provisions which evolved from the study conducted by the Judiciary Subcommittee.

The current system distorts the popular will in presidential elections by crediting all of a State's electoral votes to the plurality candidate regardless of the size of that plurality. The proportional plan would count the electoral vote in proportion to the popular vote. It would largely eliminate the tremendous premium we have placed on capturing a plurality in a few large States to the general neglect of some of the smaller States and less populated areas where returns will be of little or doubtful value. I believe it would stimulate both of our major political parties to campaign actively in all the States and to try more forcefully to reach all the voters.

I am sure we are all aware of the need for reform in this area. I hope that the proportional representation legislation will be given early and favorable consideration by the Senate Judiciary Committee and will be approved by the Congress before our next presidential election in 1964.

CALIFORNIA MARKS A FIRST IN LABOR-MANAGEMENT RELATIONS

Mr. ENGLE. Mr. President, an agreement signed on January 12, 1963, between the United Steelworkers of America and the Kaiser Steel Corp., at Fontana, Calif., is being called a first in labor-management relations. This agreement establishes a method of distributing the benefits derived from improved production techniques among the company, its stockholders, employees, and consumers.

I congratulate the United Steelworkers and the Kaiser Steel Corp. at Fontana for taking this significant new step in the labor-management field.

I commend to the attention of my colleagues the remarks made by David J. McDonald, president of the United Steelworkers, when the agreement was signed. I ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY DAVID J. MCDONALD, PRESIDENT OF THE UNITED STEELWORKERS OF AMERICA, JANUARY 12, 1963

We believe that our membership at the Kaiser Steel Corp. plant at Fontana has demonstrated good judgment in ratifying a plan designed solely for their future well-being through its provisions of sharing of economic gains and job protection against the ever-increasing impact of automation.

This is a new idea, bold in its concept and potentially far reaching in its consequences. We are supremely confident that this plan will stand the test of time.

Naturally, none of us expects that the new plan will operate smoothly and without a hitch from the very hour it becomes effective.

Some time will be required before all the wrinkles are ironed out and the plan operates in the manner our union desires and will insist upon. We feel certain, however, that the major problems were overcome before the plan was recommended to the membership. There is none remaining which cannot be resolved by a continued demonstration of the mutual good faith and responsibility shown by all parties during the 3 years required to draft the plan.

We are proud, as I am sure that the Kaiser workers will be, that we have joined the development of a new idea which conceivably can open the way to elimination of industrial strife without sacrifice of free collective bargaining prerogatives.

It is significant also that this pioneering venture has been accomplished without Government pressures of any kind. We think that this offers incontrovertible evidence that no punitive laws or restrictive controls are required to resolve the common problems of labor and management in the best interests of the principals, the public, and the Nation.

TRIBUTE TO ROY A. ROBERTS

Mr. LONG of Missouri. Mr. President, Mr. Roy A. Roberts, president and general manager of the Kansas City Star Co. of Kansas City, Mo., has announced his retirement. Henceforth his role will be management as chairman of the board.

His 54-year career with the Star has encompassed so much that I am sure it would take more than several editions of the CONGRESSIONAL RECORD to make but the briefest outline of it.

He has devoted his working lifetime to serving his community, his State, his readers and the Nation, thereby earning permanency in both history and memory.

Among the untold numbers of tributes that have been paid to Roy Roberts over the last half century, probably none is more distinctive than that from his fellow Star workers, who as the sole owners of the Star Co. have 17 times chosen him to lead the business they own and guide their professional production.

Mr. President, I am certain that our colleagues and all the readers of the CONGRESSIONAL RECORD would like to know more of Mr. Roberts—his life and his work. For that reason, I ask unanimous consent to incorporate as part of my remarks an excellent feature story about his retirement from the January 20 St. Louis Post-Dispatch.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MR. KANSAS CITY STEPS ASIDE—VETERAN ROY ROBERTS IS RETIRING TO ADVISORY CAPACITY AT KANSAS CITY STAR

(By Sam B. Armstrong)

KANSAS CITY, January 19.—Make no mistake about it, the Kansas City Star is losing its star reporter. Also, it is losing its president and chief executive officer. All happen to be the same person.

Roy Allison Roberts, who has been called half newspaperman and half politician, announced last week that he will retire to an advisory capacity as board chairman, take a long trip to the South Sea isles with his wife, the former Mrs. Charles G. Ross, of St. Louis, and return in the hope of doing a bit of writing before final retirement in a year or so.

He is perhaps the last important figure of his type. There have been many newspaper editors who have used their papers to further their own political ambitions. There have been professional politicians who have tried to operate newspapers. Roberts never sought public office for himself. But he has greatly fancied the role of kingmaker.

When Herbert Hoover turned the White House over to Franklin D. Roosevelt in 1933 and headed homeward, he stopped in Kansas City for a visit with the Roberts family.

In 1936 Roberts was the prime mover in obtaining the Republican nomination for Alf Landon, budget-balancing Governor of Kansas.

Later on, in his own words, he was "one of the insiders on Wendell L. Willkie and Thomas E. Dewey," adding, "I was in the infield but not doing the pitching."

In 1948, he sat up until 5 a.m. with Dwight D. Eisenhower "talking things over," and was able accurately to report that the general was a "good Kansas Republican" but that he would not accept the presidential nomination then. Roberts said that Eisenhower wouldn't run because he knew nothing about economics, and it was too soon after the war.

But before 1952 Roberts was among the first aboard the Eisenhower bandwagon importuning him to become a candidate, writing stories that served as trial balloons to sound public sentiment, and at last cheering the war hero's decision to run "because he feared the Republican Party was going isolationist." The editor was a frequent visitor at the White House and often was consulted.

Roberts has a broad acquaintance in Democratic circles also. He refers to Vice President LYNDON JOHNSON and Senator STUART SYMINGTON as "among my best friends on Capitol Hill."

"When Truman was President," Roberts once remarked, "I was off and on. I was either an S.O.B. or 'Dear Roy'." Both men have mellowed and now find themselves on easy terms.

Congressman RICHARD BOLLING, of Kansas City, a Democrat, was enthusiastically supported by the Star for reelection in 1958.

Roberts, who in his youth had drunk many a glass of beer discussing politics with Tom Pendergast, had a hand in the downfall of the late boss in 1939. The Star uncovered extensive vote frauds by the Pendergast machine.

The son of a Congregational minister, Roberts was born November 25, 1887, at Muscotah, Kans., 50 miles northwest of Kansas City. After attending the University of Kansas from 1905 to 1908, he became city editor of the Lawrence (Kans.) World, and in 1909 joined the staff of the Kansas City Star.

The Star had been founded September 18, 1880, by William Rockhill Nelson, an Indiana contractor who had started for Denver but stopped in Kansas City. A robust, thick-necked man whose appearance prompted his nickname, "Bull" Nelson had done much for the civic advancement of Kansas City and exerted great influence throughout the Republican State of Kansas.

When Roberts joined the Kansas City Star there were many who remembered such atrocities as the burning of Osceola, Mo., by Kansas "Redlegs" under Jim Lane in 1861 and the retaliatory sack of Lawrence by William Quantrill and his Missouri "Bushwhackers" in 1863. And, so deep was the feeling, subsequent generations perpetuated the mutual hatred in their choice of political parties. In short, Missouri, especially in the circulation area of the Star, was Democratic; Kansas was uniformly Republican.

Nelson had won election as Republican National Committeeman for Missouri.

"I had to go out and organize Missouri for him," Roberts recalled. It was a tough job and Roberts, an avowed Republican always, has been working at politics on and off since with varying success.

Beginning with the 1909 session of the Missouri Legislature, Roberts was there to report its proceedings and to advance the interests of Kansas City and the Star until 1915, when he was sent to Washington to establish a news bureau. His horizons broadened, his news sources and contacts multiplied, his influence and importance expanded. He became known as the man who could read the weathervane marking the political winds that swept across the Prairie States of the Midwest. In 1928 he served as president of the Gridiron Club, highest of honors for Washington correspondents.

It was also in 1928 that he was called back to Kansas City to become managing editor of the Star. Nelson had died in 1915. In 1926, following the death of his last heir, ownership of the Star was taken over by 73 Star employees who paid the estate $11 million for the newspaper.

Roberts is said to own a larger amount of the stock than any other of the present 400 stockholders. Upon an employee's retirement or death, the company buys his stock and it is made available to newer members of the organization.

Making the most of his Washington experience and reputation, Roberts tightened the Star's grip on Kansas. His suite in the Kansas City Club, where openhanded hospitality was dispensed to visitors 7 days a week, became known as the "capitol of Kansas," a seat of influence greater than that of the State's capitol at Topeka, 50 miles away.

John Gunther, in his book "Inside U.S.A." said: "Not only is Kansas a colony of Kansas City, Mo., but it is the colony of a newspaper."

In 1947, Roberts was made president and general manager of the Star, but he remained the newsgatherer, proud, among other things, of the fact that he has covered every national convention of both political parties since 1912 as a working reporter.

Shortly after 9 o'clock each morning, his chauffeur-driven convertible pulls up before the three-story buff brick Star Building at 18th Street and Grand Avenue. Making his way to the southeast corner of the large open newsroom on the third floor, he stops at his cluttered walnut desk long enough to remove his coat, roll up his sleeves, and light his second Corona-Corona before starting a tour that has become almost a ritual.

"Anything big?" he asks the news editor, more often than not giving him a resounding whack on the back. Next come the other editors, more back slapping and then a stroll among the yellow oak desks of reporters, pausing at each, offering his hand, and asking even the youngest members of the staff: "How are you, young man?" * * * "And you, young lady?"

The visiting then continues on the floor below in the business office, where the

Roberts ability also has been evident, although unnoticed by many because of his identification with news and editorial policy.

Back in the newsroom, where Roberts is referred to as R.A.R., he often will make another call on the sports editor to discuss the fortunes of the Kansas City Athletics. He talks to the copy boys, too. One copy boy, according to newsroom report, on getting married received a $200 gift from R.A.R.

Other special interests of the editor include the William Rockhill Nelson Art Gallery, into which went the estates of the Star's founder and that of his daughter; the University of Kansas City, the University of Kansas and its medical school in Kansas City, and numerous civic projects.

Always urging municipal improvements, Roberts explains, "It's our job to be the hair shirt of the community."

But not all civic questions reach the pages of the Star. Some are disposed of without a ripple in the even surface of community relations. Good authority has it that at one time there was a report of opposition brewing in official quarters against racial integration at the University of Kansas City. Roberts is said to have quietly gotten word to the segregationist element that the Star was prepared to fight. Opposition to desegregation promptly was abandoned as futile.

Lunch with Star directors or a visiting friend, numerous telephone conversations with news sources throughout the country, more visits with the staff, and perhaps dictation of a news story or editorial fill what for most men would be a busy day.

But about 8 p.m. the telephone of the night managing editor rings, and R.A.R. is told what is going into the first edition of the morning paper, the Times. Proofs of important or controversial stories are at hand for reading to him, and he has frequent suggestions on content and treatment.

The Star had acquired the Times in 1901. In 1942 the Kansas City Journal, formerly the Journal-Post, sole remaining competitor of the Star, went out of business. The Star later was charged with monopolizing the dissemination of news and advertising in the Kansas City area. One complaint was that the Star forced subscribers to take the afternoon Star, the morning Times, and the combined Sunday Star and made advertisers buy space in both or stay out.

Roberts and the advertising director were indicted along with the newspaper, but the charges against Roberts were dismissed 3 days before the case went to trial in 1955.

The Star was fined $5,000 and its advertising manager, $2,500, for attempted monopolization. The U.S. Supreme Court refused to hear the case after an appellate court upheld the verdict. In a civil case growing out of the prosecution under the Sherman Antitrust Act, the Star signed a consent decree divesting itself of its television and radio properties in 1957.

The Star's attorney, Charles Whittaker, was appointed to the U.S. Supreme Court by President Eisenhower in 1954.

The appearance of the Star today, with its staid makeup, small headline type and absence of liquor and beer advertising, does not differ greatly from the Star of Nelson's day. While the isolationist viewpoint has been greatly modified, local news retains priority. Kansas, Missouri, and Midwest news comes next, while national and world news seldom monopolize space on page 1.

"While we have got to take care of home base," Roberts wrote in a page 1 statement announcing the changes at the Star, "we are aware of our responsibility to bring global news and interpretation to your front door."

Referring to the "new team" and his vacation trip, he said "I don't want to be breathing down their necks" during the period of transition.

Then, to make it clear that he was still in the newspaper business, the veteran of 54 years on the Star said: "My moving up to chairman of the board was not a perfunctory swap of hats or titles. It means definitely my major role in Star management, in the time left to me, will be more in an advisory capacity. I nourish the hope also that perhaps I will get opportunity to do more writing, always my first love.

"In no sense is this a farewell speech. When I retire altogether from management—which I hope will be in a year but at most 2 years—I will not sing, but probably roar a swan song of advice to paper and community. That's always been our weakness—giving advice."

And when R.A.R.'s swan song is roared, it will be well worth hearing. Make no mistake about that.

CALL OF THE ROLL

The PRESIDING OFFICER. Is there further morning business?

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

Mr. RUSSELL. Mr. President, I intended to suggest it. I think there should be a "live" quorum.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 7 Leg.]

Aiken	Goldwater	Metcalf
Anderson	Gruening	Miller
Bartlett	Hartke	Monroney
Bayh	Hayden	Morse
Beall	Hickenlooper	Morton
Bennett	Hill	Mundt
Bible	Holland	Nelson
Boggs	Hruska	Pastore
Burdick	Humphrey	Pell
Byrd, Va.	Inouye	Prouty
Byrd, W. Va.	Jackson	Proxmire
Carlson	Johnston	Ribicoff
Case	Jordan, Idaho	Robertson
Clark	Keating	Russell
Cooper	Kefauver	Saltonstall
Cotton	Kennedy	Scott
Curtis	Lausche	Simpson
Dirksen	Long, Mo.	Smith
Dominick	Long, La.	Sparkman
Douglas	Magnuson	Stennis
Eastland	Mansfield	Symington
Ellender	McCarthy	Talmadge
Engle	McClellan	Williams, N.J.
Ervin	McGovern	Yarborough
Fong	McIntyre	Young, N. Dak.
Fulbright	McNamara	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Florida [Mr. SMATHERS], the Senator from South Carolina [Mr. THURMOND], and the Senator from Michigan [Mr. HART] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Kansas [Mr. PEARSON], the Senator from Texas [Mr. TOWER], and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Is there further morning business? If not, morning business is closed.

The Chair recognizes the Senator from Alaska [Mr. GRUENING].

Mr. HUMPHREY. Mr. President, will the Senator from Alaska yield, to permit me to propound a parliamentary inquiry?

Mr. GRUENING. I yield for that purpose.

AMENDMENT OF RULE XXII—CLOTURE

Mr. HUMPHREY. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

LET US USE THE TOOLS WE HAVE

Mr. GRUENING. Mr. President, a great deal has been said about Senate rule XXII. Weighty and well-documented arguments have been and will be advanced as to why Senate rule XXII should be changed or maintained. Proponents and opponents are equally sincere.

I have listened to much of the debate to date, and I have read all of it as it appeared in the CONGRESSIONAL RECORD. I made an equally thorough study of the pros and cons 4 years ago. It was my privilege in 1959 as a new Senator from a new State—Alaska—to hear the debate which culminated in the adoption of the then Senate Majority Leader LYNDON JOHNSON'S compromise language, which in essense returned the Senate rules on cloture to the original 1917 rule. I voted for that compromise.

The debate in which we are involved during these opening days of the 88th Congress goes to the very heart of our legislative system.

The U.S. Senate gives to each of the 50 States, regardless of size or population, an open forum; and within this forum it is possible for a Senator to explain the needs or the position of his State. The framers of our Constitution carefully established this forum so that all States regardless of size would be equal and have equal opportunity.

Through the Federalist we have access to the contemporary interpretation of the Constitution by men who were active and present when our Constitution came into being.

Letter 54 of the Federalist, by John Jay, contains this observation:

As all the States are equally represented in the Senate, and by men the most able

and the most willing to promote the interests of their constituents, they will all have an equal degree of influence in that body, especially while they continue to be careful in appointing proper persons, and to insist on their punctual attendance. In proportion as the United States assumes a national form and a national character, so will the good of the whole be more and more an object of attention, and the government must be a weak one indeed, if it should forget that the good of the whole can only be promoted by advancing the good of each of the parts or members which compose the whole.

Letter 54 was written nearly 175 years ago. The prescience it embodied is a clear and positive message to all men that the framers of our Constitution considered not only present but future times.

Thus, in 1963, the Senate of the United States continues as the bulwark of the States, small in population, which do not have large delegations in the House of Representatives. I represent, in part, one of those States.

When we examine the size of House delegations, we find that 23 of the 50 States have 5 or fewer Representatives per State for a total of 58 Members. Five States have but a single U.S. Representative. Alaska has the dubious honor of being one of those five. The others are Delaware, Nevada, Vermont, and Wyoming.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a listing of States and the number of Representatives from each.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Number of States' Representatives

Alabama	8
Alaska [1 2]	1
Arizona [2]	3
Arkansas [2]	4
California	38
Colorado [2]	4
Connecticut	6
Delaware [1 2]	1
Florida	12
Georgia	10
Hawaii [2]	2
Idaho [2]	2
Illinois	24
Indiana	11
Iowa	7
Kansas [2]	5
Kentucky	7
Louisiana	8
Maine [2]	2
Maryland	8
Massachusetts	12
Michigan	19
Minnesota	8
Mississippi [2]	5
Missouri	10
Montana [2]	2
Nebraska [2]	3
Nevada [1 2]	1
New Hampshire [2]	2
New Jersey	15
New Mexico [2]	2
New York	41
North Carolina	11
North Dakota [2]	2
Ohio	24
Oklahoma	6
Oregon [2]	4
Pennsylvania	27
Rhode Island [2]	2
South Carolina	6
South Dakota [2]	2
Tennessee	9
Texas	23
Utah [2]	2
Vermont [1 2]	1
Virginia	10
Washington	7
West Virginia [2]	5
Wisconsin	10
Wyoming [1 2]	1

[1] 5 States with 1 Representative.

[2] States with 5 or fewer Representatives, 23.

Mr. GRUENING. Mr. President, let us look at this disparity in State delegations in the House of Representatives and see what it means in terms of the legislative process.

In the other body, 10 States—California, Illinois, New York, Pennsylvania, New Jersey, Michigan, Ohio, Massachusetts, Indiana, and Maryland—command 219 votes, enough to pass or block any legislation deemed disadvantageous to their States' best interests. No special significance should be attached to my singling these particular States out for special mention. Other combinations of States are possible with substantially the same effect.

In the Senate, on the other hand, under existing rules, it would take the Senators from 17 States—not 10, as at the other end of the Capitol—to block legislation, and it would require the Senators from 26 States—not 10, as in the House, to enact legislation.

This has long been the deliberately conceived and established delicate balance between the interests of the States and the various population segments of the United States. This system of checks and balances, which lies at the very core of our system of government, and permeates every phase of it, cannot be disturbed without far-reaching consequences, consequences the very nature of which no one can foretell.

Not all matters upon which we act in Congress have equal effect throughout the country. Certain matters affect the rights and privileges of States as States. Thus States large in size but small in population—such as my own State of Alaska have on certain issues much in common with other large and underpopulated States. On other issues we would have interests in common with large, densely populated States.

The Constitution was framed to take into account these differences. One body was to represent the interests of the States; the other the interests of the people. The present Senate rules have been framed accordingly.

The roster of Senators who have been outstanding champions of unlimited debate is impressive. It includes our esteemed and only recently departed colleague, Joseph C. O'Mahoney, of Wyoming; James Couzens, of Michigan; George Norris, of Nebraska; Robert La Follette, of Wisconsin; Charles L. McNary, of Oregon; Dennis Chavez, of New Mexico; William Langer, of North Dakota, to name only a few, men of both parties, who have been classed as liberals.

Another was the great William E. Borah, of Idaho. Senator Borah once wrote:

> I am opposed to cloture in any form.

Senator Borah was an outstanding champion of every aspect of freedom. He had more to say about cloture, namely:

> I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate.
>
> There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington.

Senator Couzens, of Michigan, a Republican and a great liberal, wrote:

> When the importance of the occasion seems to demand it, all that has to be done is: 16 Senators making such a motion, same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required; otherwise the majority might ride roughshod over the minority at any time.

The late, magnificent champion of the rights of the people, Senator Joseph C. O'Mahoney, of Wyoming, a national figure, commented vigorously on the question of limitation of debate during the 1959 discussion on rules. His remarks about the opportunity to vote on rules is pertinent today. Senator O'Mahoney said:

> I have heard some of my colleagues say to the newly elected Senators that they never have had an opportunity to vote upon the Senate rules. Neither have they ever had an opportunity to vote on "Roberts' Rules of Order."

Senator O'Mahoney also was concerned about the possibility of sacrificing the constitutional principle that, in the Senate of the United States, the States shall be equal.

He sought to preserve the true meaning of free speech.

According to article V of the Constitution of the United States:

> No State without its consent shall be deprived of its equal suffrage in the Senate.

Today, the principle of equal suffrage exists and is at issue in the current debate. We should remember, as has been pointed out, that today's majority can be tomorrow's minority.

Many definitions of the word "liberal" have been written. One of my favorites is the Webster three-word explanation—"independent in opinion." We are in perilous days, indeed, if this should become an archaic definition, for the end of independence of opinion is the end of thought, and ultimately the end of progress. The end of independence of opinion is the first step toward mediocrity and torpid conformity.

Our Nation was born of independence of opinion, and that has continued to be one of its distinguishing marks and one of its most priceless assets.

So I am glad to take part in this historic debate and to express my independent opinion, which, I am not unaware, will not coincide with the opin-

ions of some of my friends in the Senate and some of my friends outside of it.

But as Alexis deTocqueville, that perspicacious observer of, and commentator upon, the American scene, wrote:

If ever the free institutions of America are destroyed, that event may be attributed to the unlimited authority of the majority.

During the 1959 debate, the late, intrepid Senator William Langer, of North Dakota, offered these thoughts on cloture:

Mr. President, on March 11, 1949, I stated my position on rule 22 and again today (January 12) I reiterate the stand that I took 10 years ago. I was then and I am now unalterably opposed to any limitation of debate in the U.S. Senate, the only legislative body left in the world where a legislator can freely debate the merits of all issues.

Throughout the history of this Nation, there have arisen occasions when the need to "freely debate the merits and demerits of all issues" has arisen.

In his Pulitzer prize-winning book, "Profiles in Courage," President Kennedy described the filibuster by Senator George Norris against President Woodrow Wilson's proposed armed ship bill, in 1917.

Senator Norris and Senator Robert La Follette, Sr., used the filibuster technique to prevent armed neutrality.

Senator Norris was fearful—

Wrote President Kennedy—

of the bill's broad grant of authority, and he was resentful of the manner in which it was being steamrollered through the Congress.

The House had approved the armed ship bill by a vote of 403 to 13.

Senator Norris held up passage of the bill until the 64th Congress expired on March 4, following 2 days of filibuster, because he wanted the proposed legislation to receive careful consideration. As history recounts, the armed ship bill was passed shortly after the 65th Congress convened, and Senator Norris joined to vote in favor of the 1917 Senate cloture rule.

Senator Norris had used that technique to focus attention on a bill he felt had been insufficiently considered in the legislative chamber designed for free and open debate on all subjects.

Many Members of this body have supported free debate. Senator Langer on March 11, 1949, recalled that Senator Charles L. McNary, when minority leader of the Senate, told him that "in his judgment one of the greatest safeguards of democracy was the fact that the right of unlimited debate exists in this Chamber."

Senator Langer also noted that he had received from Senator La Follette identical advice not to sign the cloture petition

I have previously cited Senator Norris' use of the filibuster against the armed ship bill which failed. Later, he was to use extended debate to prevent the U.S. Government from selling Muscle Shoals. Without Senator Norris, the great Tennessee Valley Authority might not have come into being.

This same deliberative filibuster procedure enabled the Senate to keep President Harry Truman from having the striking railway workers drafted into the Army. The House had rushed that hastily and unwisely conceived proposal to passage by an overwhelming vote of 306 to 13, following less than 3 hours of debate. The Senate killed the draft provision.

During the 1959 debate, Alaska's good friend, our recently departed colleague, Senator Dennis Chavez, of New Mexico, said:

I personally do not think I would be here in the Senate and I do not believe that my colleagues from the State of Arizona would be in the Senate, if the Senate were as limited in debate as the House is. The big States would have blocked us. When the Senate was created, the Founding Fathers had the idea that, irrespective of how much population any State, the State of Illinois, might have, for example, each State should have equal representation in the Senate, now and forever.

George Washington correctly compared the Senate to the saucer which cools the hot coffee of the other body.

Mr. President, I deplore the fact that this fight to change the cloture rule has been oversimplified into a fight "for" or "against" civil rights.

During my period as editor, as Governor of the Territory of Alaska, and as a Member of the U.S. Senate, my record as a champion of individual rights, freedoms, and civil rights through the years speaks for itself. I admit freely that freedom of debate and the difficulty of applying cloture have been used in the past to block the passage of legislation deemed by many essential to insure the full exercise by all citizens of their constitutional rights, without regard to race, creed, or color.

But I remind my colleagues that the passage of civil rights legislation in 1957 was accomplished without applying cloture, and that cloture was applied last year on an issue involving economic rights.

Cloture has been applied in the past, and I have no reason to doubt it will be applied in the future.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a list of Senate votes on applying cloture, which has been prepared by the Legislative Reference Section of the Library of Congress.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Senate votes on cloture [1]

Congress	Session	Date	Subject	Senator offering motion	Yeas	Nays	Congressional Record		Cloture
							Vol.	Page	
66	1	Nov. 15, 1919	Treaty of Versailles	Lodge	76	16	58	8555–56	Yes.
66	3	Feb. 2, 1921	Emergency tariff	Penrose	36	35	60	2432	No.
67	2	July 7, 1922	Fordney-McCumber tariff	McCumber	45	35	62	10040	No.
69	1	Jan. 25, 1926	World Court	Lenroot	68	26	67	2678–79	Yes.
		June 1, 1926	Migratory-bird refuges	Norbeck	46	33	67	10392	No.
69	2	Feb. 15, 1927	Branch banking	Pepper	65	18	68	3824	Yes.
		Feb. 26, 1927	Retirement of disabled emergency officers of the World War	Tyson	51	36	68	4901	No.
		Feb. 26, 1927	Colorado River development	Johnson	32	59	68	4900	No.
		Feb. 28, 1927	Public buildings in the District of Columbia	Lenroot	52	31	68	4985	No.
		Feb. 28, 1927	Creation of Bureau of Customs and Bureau of Prohibition	Jones (Washington)	55	27	68	4986	Yes.
72	2	Jan. 19, 1933	Banking Act	Robinson	58	30	76	2077	No.
75	3	Jan. 27, 1938	Antilynching	Neely	37	51	83	1166	No.
		Feb. 16, 1938	do	Wagner	42	46	83	2007	No.
77	2	Nov. 23, 1942	Antipoll tax	Barkley	37	41	88	9065	No.
78	2	May 15, 1944	do	do	36	44	90	2550–51	No.
79	2	Feb. 9, 1946	FEPC	do	48	36	92	1219	No.
		May 7, 1946	British loan	Ball	41	41	92	4539	No.
		May 25, 1946	Labor disputes	Knowland	3	77	92	5714	No.
		July 31, 1946	Antipoll tax	Barkley	39	33	92	10512	No.
81	2	May 19, 1950	FEPC	Lucas	52	32	96	7300	No.
		July 12, 1950	do	do	55	33	96	9982	No.
83	2	July 26, 1954	Atomic Energy Act	Knowland	44	42	100	11942	No.
86	2	Mar. 10, 1960	Civil rights	Douglas and Javits	42	53	106	[2] 4763	No.
87	1	Sept. 19, 1961	Amend rule XXII	Mansfield and Dirksen	37	43	107	20147	No.
87	2	May 9, 1962	Literacy test for voting	do	43	53	108	[2] 7444	No.
		May 14, 1962	do	do	42	52	108	[2] 7659	No.
		Aug. 14, 1962	Communications Satellite Act	do	63	27	108	[2] 15409	Yes.

[1] Many cloture petitions have also been withdrawn or held out of order since 1917. [2] Daily.

Mr. GRUENING. Mr. President, prior to 1917, the Senate had no rule regarding cloture. This did not appear to impede permanently the progress of legislation desired by the majority. According to a Library of Congress analysis, of 35 filibustered bills before the Senate from 1865 through 1946, 21 later passed. Congress has a way of passing proposed

legislation which comes before it more often than not.

Mr. President, I ask unanimous consent that the Legislative Reference table detailing the history of the 35 bills previously referred to be reprinted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Later action on 35 filibustered bills

Bills	Filibustered	Passed	Not passed (10)
Reconstruction of Louisiana	1865	1868	
Election laws	1879	1909 (repealed)	
Force bill	1890–91		X
River and harbor bills (3)	1901, 1903, 1914	At intervals	
Tristate bill	1903	1907, 1912	
Colombian treaty	1903	1903 [1]	
Ship subsidy bills (2)	1907, 1922–23	1936	
Canadian reciprocity bill	1911	1911 [1]	
Arizona-New Mexico statehood	1911	1912 (admitted)	
Ship purchase bill	1915	1916	
Armed ship bill	1917		X
Mineral lands leasing bill	1919	1920	
Antilynch bills (3)	1922, 1935, 1937		X
Migratory bird conservation bill	1926	1929	
Campaign investigation resolution	1927	1927 [1]	
Colorado River bills (2)	1927, 1928	1928 [1]	
Emergency officers retirement bill	1927	1928	
Washington public buildings bill	1927	1928	
Resolution to postpone national-origins provisions of immigration laws	1929	1929	
Oil industry investigation	1931	1935	
Supplemental deficiency bill	1935	1936	
Prevailing wage amendment to work relief bill	1935	1936	
Flood control bill	1935	1936	
Coal conservation bill	1936	1937	
Anti-poll-tax bills (4)	1942, 1944, 1946 1948		X
FEPC bill	1946		X

[1] In special or subsequent sessions.

NOTE.—Numerous appropriation bills—at intervals—passed in special or later sessions.

Source: "Limitation on Debate in the Senate." Hearings before the Committee on Rules and Administration, U.S. Senate, 81st Cong., 1st sess., on resolutions relative to amending Senate rule XXII relating to cloture, January and February 1949, p. 42.

Mr. GRUENING. Mr. President, members of our great political parties have utilized the filibuster privilege for what they deemed important. I have not agreed, and in the future undoubtedly will not agree, as to the importance of all matters. At other times I may be on the other side of the filibuster question.

The Senate has the tools with which to work. Let us use the tools we have, and move ahead.

To sum up, Mr. President, 4 years ago this month, at the beginning of the 86th Congress and at the start of my senatorial service, the issue of changing rule XXII was before us. The alternatives then presented were: First, keeping the existing requirement of two-thirds of the total membership in order to apply cloture; second, changing it to two-thirds of those present and voting; third, changing it to three-fifths of those present; and fourth, changing it to a straight majority.

I was willing then to modify the existing procedure of cloture by two-thirds of the total membership to two-thirds of those present and voting, because I could not see the logic or justice of counting the votes of those absent.

But, Mr. President, beyond the change to invoke cloture by two-thirds of those present, I would not go. And my colleagues will recall that this amendment was adopted by a vote of 72 to 22. The current efforts are to reduce it, by the Anderson amendment, to three-fifths of the Senators present and voting, or, by the Humphrey amendment, to reduce it to a straight majority.

Then, as now, the reasoning for the further reduction had been largely premised on the need for civil rights legislation. Well, we had enacted civil rights legislation both before and after this change of 4 years ago—in the 85th Congress, when the requirement for cloture called for two-thirds of the total membership, and thereafter in the 86th Congress, when the requirement had been modified to require two-thirds of those present and voting. And while these two civil rights bills did not go as far as I would have liked, they were enacted after full debate and represented the reasoned and fully aired sentiments of the majority of the Senate.

I felt then and do now that issues other than civil rights are involved. A wave of hysteria, a recrudescence of McCarthyism, a sudden wave of national alarm, might sweep across the country, might panic the easily panicked, might stampede the doubting, and, as in the past, on previous occasions in the other body, cause the enactment of hasty and ill-considered legislation.

The Senate, under existing rules, will remain a safeguard and bulwark against such a calamity, although not an absolutely certain one, as I feel was demonstrated in the debate in the last session on the communications satellite legislation. My views have not changed in these 4 years. Indeed, they have been reinforced by what happened in the 2d session of the 87th Congress. Let me review that event briefly.

We had before us the first venture into the tremendous, vast and almost unexplored and unknown realm of space. It was the satellite communications bill. It came to Congress from the White House and carried the impressive authority of originating with the Nation's Chief Executive, the President of the United States. The bill had been passed by the House by the overwhelming majority of 354 to 9, after a discussion for only a part of 2 days.

It was by a similarly overwhelming vote, 306 to 13, some years earlier that the House had rushed through a measure, likewise originating with the President of the United States, which contained a section which would conscript striking railway workers and put them into the Army, where they would be subject to court-martial and similar military discipline. But on that occasion, as I pointed out earlier in my remarks, the Senate, after prolonged debate, was able to defeat this section of the bill—section (e)—effecting a decision which few today, including the Members of the House who voted for it, could now question.

The railroad workers' conscripting bill, in the judgment of the Senate, constituted a fundamental attack on freedom. It was an attack on the right of workingmen to strike. It was defeated because of the freedom to debate at length in the Senate. That freedom of virtually unlimited speech in the Senate defeated the move to destroy the freedom of freemen to exercise their rights under our Constitution and proceed against what they considered unjust working conditions.

Mr. ERVIN. Mr. President, would it interrupt the Senator's train of thought if I should ask him a question?

Mr. GRUENING. I am happy to yield to my friend the Senator from North Carolina.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be permitted to make an observation on a subject which the able Senator from Alaska has been discussing without his losing the privilege of the floor or being prejudiced in any way by my observation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. I was a Member of the House of Representatives at the time a bill was proposed to draft railroad workers into the Army. There had been a strike in the coal mines for 5, 6, or 7 weeks. As a result, a great deal of hysteria had been promoted in our country. The railroad brotherhoods had voted to go out on strike on a certain day. The President of the United States came to Congress and delivered an address to a joint session urging the enactment of a bill, which was immediately thereafter introduced in the House and forthwith considered.

Under the rules of the House of Representatives the discussion was limited to a comparatively few minutes. The House passed the bill by an overwhelming majority vote. Ever since, I have regretted that in the hysteria of the moment I voted for that bill. My vote for that bill represents the very worst vote I have ever cast as a member of a legislative body.

Shortly after the bill had passed and I had about 5 minutes to think about it, I realized that in voting for that bill, I had voted to impose involuntary servi-

tude upon men who were entitled to be freemen, and who should not have been compelled to work if they felt their surrounding working conditions were not appropriate.

As the Senator from Alaska has so well stated, under the Senate rules one Senator could interpose an objection to the immediate consideration of that bill. When the request was made in the Senate to consider that bill for immediate passage, a Senator objected. As a consequence of that objection, there could be no immediate action on the bill. After Senators really had an opportunity to analyze the bill, they were against it, and it failed of passage.

I appreciate the fact that the Senator has put his finger squarely on the danger of a great wave of popular sentiment which sweeps legislators off their feet, as it does all other human beings at times, so that they do not think correctly.

With reference to the communications satellite bill passed by the Senate last year, although I favored that bill, I voted against silencing Senators who were opposed to it because I knew they were sincere. For that reason I felt they ought to be permitted to present their cause as they saw it to the Senate until they felt that they had had an adequate opportunity at least to educate those of us who were inclined to vote for the bill.

The Senator has presented a magnificent example of the danger of hasty cloture in both of his illustrations.

Mr. GRUENING. I thank my friend from North Carolina. His repentance for his unwise vote in the House has been suitably rewarded by his promotion to the Senate, where he can again exercise his restraining vote when such hasty legislation should come over.

Mr. ERVIN. Mr. President, will the Senator yield further under the same conditions?

Mr. GRUENING. I yield.

Mr. ERVIN. During my service in the House I wished to speak on what I thought was the most important bill that came before the House during the brief time I was there. That bill related to the importance of keeping the armed services strong at the end of World War II, when Stalin was virtual dictator of Russia. In order to express my views, which were out of harmony with those of the majority of the House, I had to apply to both parties to get time to speak. As the Senator knows, in the House a Member can ordinarily get only 5 minutes at best, to speak. I was able to get 4½ minutes to speak on the most crucial question that came before the House during that time by borrowing 2½ minutes from the Democratic majority and 2 minutes from the Republican minority. That was the only speech I could make on an issue which I thought was essential to the very preservation of our country.

Mr. GRUENING. The Senator has adduced further convincing evidence of the superiority of our system of operating in this body as contrasted with the hasty, controlled, and limited opportunities to speak which exist in the other body.

In the satellite communications case, the bill, as passed by the House with no significant amendments—although a number were offered—turned over the entire field of space communication to one company. In the name of free enterprise it established a monopoly. It established a monopoly in an area far larger than the planet on which we live whose potential man had barely begun to explore. It gave this one company—A.T. & T.—virtually unrestricted and unlimited authority. It gave the company the power to negotiate with sovereign nations concerning their potential space communication program—a prerogative that should have been vested in the Government of the United States. It provided, in the judgment of those of us who wanted to examine the legislation painstakingly, no adequate regulation as to the future character or cost of the service to be rendered.

It provided, in our judgment, no adequate protection for the taxpayers who had already invested hundreds of millions of dollars in a Government program preliminary to this enterprise, such as the launching of the satellite. It provided no adequate protection, either, as to future expenditures. We felt that the people of the United States were entitled to a number of safeguards and these were proposed in the form of amendments which attempted to provide such protection.

We had no objection to having the chosen instrument of this legislation operate the satellite. But we questioned, as I am confident we all still do—and as I know many House Members who voted for the bill now do—the wisdom of giving this company a blank check on the U.S. Treasury and on international negotiations.

We objected to the exclusion for all time, of possible competition—competition or regulation being traditionally hailed as one of the built-in essentials of our free enterprise system. We felt, in the absence of such competition, adequate provisions for regulation should be included and various other such safeguards. The evidence was for us conclusive that the FCC would not regulate adequately. Thus neither competition nor regulation existed as safeguards against monopolistic abuses.

What happened? Cloture was moved and voted in great haste under the prevailing rule—that of two-thirds of those present and voting. And, under this gag rule, every vital amendment proposed by colleagues, who I think we will agree are responsible Members of our body, was voted down.

Let me recall, for the record, the names of those who wanted further debate, consideration and amendment, and were not satisfied with the bill:

Senators Bartlett, of Alaska; Burdick, of North Dakota; Carroll, of Colorado; Church, of Idaho; Clark, of Pennsylvania; Douglas, of Illinois; Gore, of Tennessee; Gruening, of Alaska; Kefauver, of Tennessee; Long, of Louisiana; McNamara, of Michigan; Morse, of Oregon; Moss, of Utah; Neuberger, of Oregon; Yarborough, of Texas. They represented every section of our country.

Under the cloture gag, there was not adequate time to discuss many of these amendments, and so this legislation, of such tremendous import—unchanged and unmodified—was steamrollered through.

One of our Senate leaders in the present proceedings to change the rules and make cloture easier—one for whom I have the greatest respect, admiration, and affection, although I disagreed emphatically with his procedure on the satellite communications bill—said, in the course of the current debate on changing the Senate rules last Wednesday:

> Let's get back to the principle of free speech. Nobody is talking about curbing free speech. No one is talking about denying the right to debate every question at length.

Well, less than a year ago, on this very important measure, free speech was curbed in the Senate. Fifteen of us were denied the right to debate every question at length.

Mr. President, I shall vote against any measure to diminish the right of extended debate. I shall again support the reform that was proposed by Vice President LYNDON JOHNSON, then majority leader, and adopted 4 years ago by a vote of 72 to 22, by which debate can be brought to a close by a vote of two-thirds of those present and voting. We need it to protect the public interest, and as has been demonstrated, even this procedure does not protect it fully, as it did not last year in the 87th Congress.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to my colleague.

Mr. RUSSELL. Mr. President, I am proud to have this opportunity to express my profound admiration for the courage and statesmanship of the Senator from Alaska for the position he has taken and for the very able speech he has delivered.

I know something about the political pressures that are brought to bear in this country. I know something about the views of the Senator from Alaska on many political issue. His political philosophy is often in harmony with the positions taken by those who oppose us in this effort to bring about gag rule in the Senate.

This has not been an easy speech for the Senator from Alaska to make, and it is not an easy position for him to take. He is entitled to great credit for the courage and statesmanship that he displays.

There have been many instances when the Senator from Alaska and I have disagreed on legislative matters. But we are certainly in complete accord in the position that the issue now before the Senate transcends in importance any single specific bill or proposed legislation in any specific field that could come before this body.

It so happened that I differed with the Senator from Alaska on the so-called communications satellite bill, but I voted to give—and stated that I favored giving—those who opposed that bill the

fullest opportunity to present their views to the country.

When one is in a position of opposing a bill of that kind, it takes a long time to get his views to the country. I say, with all respect to the press, that when a bill of that kind is being pressured and the cry of "filibuster" has gone out, the press seldom carrys to the people substantial coverage of the views of honest and sincere Senators who stand on the floor and oppose the bill. Unless those Senators have a long time to speak, and to speak often, they cannot possibly get their views across. They must depend either upon the CONGRESSIONAL RECORD or upon mail-outs of speeches to the country, to inform the people of their position.

I differed with the Senator on that particular bill, but I voted against suppressing his right to speech by imposing the gag rule of cloture. Time may well prove that the distinguished Senator and the little minority who stood with him against that bill were correct and those of us who supported it were wrong.

There has been instance after instance in the proud history of this body—this once untrammeled Senate, before there were so many pressure groups in the country to pressure Senators on their views—when the minority has made a fight which history proved to be correct even though they lost when the vote was taken. That could well be true in regard to the satellite bill.

The Senator referred to the quick vote amendments after cloture was imposed. I believe the Senator served in the House of Representatives as the Delegate from Alaska before Alaska achieved statehood.

Mr. GRUENING. No, I was a Tennessee plan senator before I was duly elected to the Senate.

Mr. RUSSELL. The Tennessee plan has now been vindicated.

In the other body, even in cases of vital importance, under the terms of certain rules, a Member of the other body cannot even offer an amendment, much less have an opportunity to speak. I was astounded the other day to hear one of the eminent movers of the proposal to gag the Senate use the House of Representatives and its rules as an illustration of rules we should follow in our proceedings here. Do Senators wish to adopt a course that could deny to them the right even to offer an amendment to a bill? Do Senators wish to follow a course which will lead to the requirement of Senators being forced to beg for 2 or 3 minutes time to speak on a bill which is regarded as being of vital importance to the country, as was illustrated by the Senator from North Carolina?

If Senators wish those things to occur, they can keep on following these pressure groups that push them to vote for rules changes of the kind proposed.

There has been an unfortunate tendency to equate this fight with the views which individual Senators may hold on certain specific pieces of proposed legislation. There could not be anything more damaging to the country, anything to threaten us more surely with disaster, than for the Senate to undertake to frame rules that would enable us to hurriedly pass some one specific piece of proposed legislation.

Doubt it not, my colleagues. If ever that is adopted, the day will come when the Senators responsible for the change will be on the receiving end and will curse the day they were enticed into taking a position that the Senate of the United States should ever be subjected to gag rule.

The Senate was not designed to be gagged. It was designed to protect the States, both small and large. I have suffered through long debates with which I did not agree. Sometimes the Senate brings us many frustrations in that respect, but it is better to endure those long speeches with which we disagree than to destroy the last place in Government where minorities and States—particularly the small States—can make themselves heard.

At times legislation may be rushed through the House of Representatives under the pressure of a popular President, or a powerful President, or a ruthless political party organization. There may be times when those in high positions in the executive branch of Government may be corrupted. But so long as there is free debate on this floor there is hope for the perpetuity of our institutions and morality and honesty in administration. In the matter of time we have moved far from the tyranny which gave birth to our wonderful system of free government, perhaps so far that people do not really appreciate what tyranny can mean and the suffering and sorrow that this loss of individual rights and liberties can bring. We are prone to take them as much for granted as the water we drink or the air we breathe. But every one of those rights was earned by the blood and sacrifice of generations who have gone before. Now it is proposed that future generations should not have the same means to defend those rights on the floor of the Senate that we have heretofore enjoyed.

Mr. President, the day could well come when this floor will be the last place in this Government that tyranny can be opposed, and corruption exposed.

I hope the Senate will never yield to this demand for a violent change in its rules and procedures in the cause of specific legislation, and close the door to the one place where men of sincerity and conviction can rise to their feet and appeal to the American people not to follow the demagogue, not to follow those who paint the mirage of something for nothing. Let us defend the Senate as a place of last resort for the defense of rights of minorities against a ruthless majority. This floor is the one place where that right exists today. It is the only place where it can be preserved. It is in our keeping.

I salute again the courage and the statesmanship of the Senator from Alaska for making this splendid presentation of the importance of maintaining this Senate as a place where Senators may discuss with their equals, without gags or fetters, the merits or demerits of vital issues.

Mr. GRUENING. I am very grateful to my colleague the senior Senator from Georgia. I deeply appreciate the pertinence, eloquence, and validity of what he has said.

Mr. HILL. Mr. President, will the Senator yield?

Mr. GRUENING. It is a pleasure to yield to the distinguished Senator from Alabama.

Mr. HILL. Let me commend and congratulate the Senator for the very fine, courageous, and inspiring speech he has made here today to protect free debate in the Senate and to preserve the rights of the States and the liberties of the people back home in the States. I certainly strongly congratulate and commend him.

Mr. GRUENING. Well, I think the discussion that has taken place this year, and that which took place 4 years ago, at least in my judgment, would lead inevitably to the conclusion that there was far more involved than the civil rights issue with which the cloture fight has been so much identified. I am partisan in my desire to want full civil rights granted. I have not been satisfied with the civil rights which have been afforded by existing civil rights legislation, but I think this issue of ample debate and cloture transcends the civil rights issue. It is far more important. As the distinguished Senator from Georgia [Mr. RUSSELL] has said, it is the most important single issue that can come before this body—the right to maintain the freedom of unlimited debate, and to act as a safeguard against hasty, ill-considered, panicky, unwise, unjust, and oppressive legislation, which we have seen happen, and on which occasions the Senate has served as a safeguard, as a shield, and as a bulwark to prevent it from being finally enacted into law.

Mr. President, I yield the floor.

Mr. EASTLAND rose.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I certainly desire to join with the senior Senator from Georgia and the senior Senator from Alabama in the statements they have made about the speech of the distinguished Senator from Alaska. It was one of the ablest speeches ever made in this body on this subject. It was convincing and I think has made a real contribution to the question.

Mr. President, when I concluded my remarks Thursday, a week ago, in opposition to the motion to take Senate Resolution 9 off the calendar for consideration of the Senate, I was in the process of reviewing historical material demonstrating that the Senate had been a continuing body since its inception. I quoted from the report of the U.S. Constitution Sesquicentennial Commission, entitled "History and Formation of the Union Under the Constitution," wherein it was described that the act of the first

convocation of the U.S. Senate was the election of a President of the Senate; then the tabulation of the electoral vote for a President and Vice President of the United States, and after inauguration of a Vice President, this Congress organized the Supreme Court and the necessary inferior courts. This history then goes on to describe what the Senate then did, in this language:

It adopted complete rules for the government of the Senate. These rules remained substantially unchanged. There we find the rule providing for unlimited debate which has made of the Senate the greatest deliberative body on earth.

ORDER FOR RECESS UNTIL 10 A.M. ON MONDAY NEXT

Mr. MANSFIELD. Mr. President, will the Senator yield briefly, without losing his right to the floor?

Mr. EASTLAND. I am glad to yield, with that understanding and also with the understanding that if I speak again on the pending question my remarks will not be counted as a second speech.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate recesses today, it recess to meet at 10 o'clock, a.m., on Monday next.

The PRESIDING OFFICER. Without objection it is so ordered.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. EASTLAND. Mr. President, I know of no single document that more effectively controverts the position taken by the proponents of Senate Resolution 9 and the substitute that has been proposed thereto than does this simple statement by these scholars who compiled the "History of the Formation of the Union Under the Constitution." The universal practice of the Senate from the day that the complete rules for its government were adopted until the present demonstrate both the continuing nature of the rules and the right of unlimited debate which existed up until the time the limitation was placed into the rules of the Senate by a majority vote on March 8, 1917.

I would like now to develop further the continuity of the discussion that I was engaged in in my previous speech.

Any time the circumstances require a discussion of the nature and character of the Senate as a continuing body, I am compelled to repeat the eloquent statement made by our late and beloved colleague, Senator George, in the debate on the Wherry resolution in 1949. He said:

In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.

Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government. They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.

Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two—from each State, wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent—not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.

Mr. President, the nature and character of the Senate as a continuing body has never been more succinctly and comprehensively described than it has in these words of Senator George.

Lindsay Rogers in his book, "The American Senate," describes its peculiar characteristics in the language of Senator Henry Cabot Lodge. He says:

Furthermore, since the 6th day of April 1789, the upper Chamber, as Senator Lodge pointed out, "has never been, legally speaking, reorganized. It has been in continuous, and organized existence for 132 years, because two-thirds of the Senate being always in office, there never has been such a thing as the Senate requiring reorganization as is the case with each newly elected House. There may be no House of Representatives, but merely an unorganized body of Members elect; there may be no President duly installed in office. But there is always the organized Senate of the United States." It has had in full measure what Bryce called collective self-esteem; it has also shown, he might have added, individual self-esteem.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield.

Mr. ERVIN. I am very much impressed by the Senator's reference to the constitutional provision which states that no State can be deprived of equal representation in the Senate. I should like to ask the Senator a question.

Mr. EASTLAND. Cannot be deprived, short of a revolution.

Mr. ERVIN. Yes. While the Constitution itself declares that each State shall be represented in the Senate by two Senators and that no State can be deprived without its consent of equal representation in the Senate, cannot the Senate itself render the right of a State to be represented in the Senate by two Senators an absolutely worthless right if it adopts a cloture rule by which other Senators can silence those two Senators?

Mr. EASTLAND. The distinguished Senator from North Carolina is correct. In that way a State can be deprived of its representation in the U.S. Senate.

Mr. ERVIN. Is it not true that the Senate could not only deny a State the right to have its two Senators represent it, but could also deny small States under the present House Rules the right to be represented for any practical purposes in the House of Representatives? Is this not true because Representatives can not ordinarily get an opportunity to speak in the House, for more than 5 minutes? These things being true, if the Senators of the small States were deprived of the right to speak in the Senate, then such States for all practical purposes would be deprived of representation in Congress. Is that not true?

Mr. EASTLAND. That is correct. Representation does not mean the right to sit here and look. That is not representation. It is the right to speak and to protect the rights of the people and to protect the sovereignty of the States. That is what is meant. That is what the Founding Fathers meant when the Constitution was adopted.

Mr. ERVIN. I should like to ask the Senator if it is not true that a State has no real representation in the Senate if its two Senators can be run over by a steamroller and silenced, or merely permitted to sit here or linger here after the steamroller has run over them?

Mr. EASTLAND. The Senator is correct. That certainly violates the Constitution of the United States.

Riddick in his book, "The United States Congress Organization and Procedure," states:

The Senate is a continuing body as contrasted with that of the House. Legally, two-thirds of the Senators of the old Congress return to the subsequent new one without having to be reelected, but all Representatives must stand for reelection every 2 years. Thus the manner and extent of organizing each new Senate have not been established under the influence of definite breaks between each Congress as has been the experience of the House, nor have the parliamentary rules of the Senate been equally subjected to alterations. The Representatives readopt their old rules of procedure at the inception of each Congress, sometimes with slight modification, while the Senators have not given a general reaffirmation to their rules since 1789. The identical rules adopted by the Senate in the first Congresses have remained in force continuously with the exceptions of particular additions or abolishments from time to time. Any such changes are made by amending the rules to meet new needs of that august and esoteric group. Changes have not been frequent as seen by the fact that a codification of the accumulated alterations has occurred on only five different occasions.

Haynes in his work on the U.S. Senate says:

The Senate, on the other hand, is a continuing body. It first effected its organization April 6, 1789, and there never since has been a time when the Senate as an organized body has not been available, at the President's summons or in accordance with the terms of its own adjournment, for the transaction of public business. The first

rules, adopted only 10 days after the Senate came into being, have continued in force without reaffirmation until amended or abolished by the Senate. In contrast with notable revisions of the House rules, the few Senate revisions have been significant of no urgent spirit of revolt or reform; they have been authorized when the accumulation of changes through a long series of years made a new codification desirable.

Mr. President, we have stated time and time again in these debates that rule XXII of the Senate has no direct relation to so-called civil rights legislation, but that it is equally applicable and subject for use by any Senator in any area or field where he feels that proposed legislation is inimical to the interests of his State or to the people of the country. The late Senator Taft best stated the warning inherent in this character of thinking that a vote on rule XXII is a vote for or against civil rights when he stated during the rules debate in 1949:

> If we ever admit that Senators, in voting on rules, should permit their opinion on proposed legislation to determine their vote instead of the meaning of the rules, there would be no rules in the Senate, and we would be subject to the arbitrary wishes of a Presiding Officer and a majority of those present.

The issue as to the Senate being a continuing body is not legislation. It is a revolutionary plan to change the fundamental and basic character of the Senate as a legislative body.

While I see no reason why the Senate should be called upon to debate a self-evident fact based on the Constitution and its interpretation throughout the entire history of this country, I do feel deeply and sincerely that if the issue were put to a vote that the Members of this body would overwhelmingly declare that in their judgment the Senate is and always has been a continuing body.

Mr. President, another facet of the remarks that I previously made opposing any form of gag rule involved the discrimination that has been inherent in our Government since the formation of the Union wherein the power and influence of the larger States in the Union outweigh, overbear, and discriminate against the power and influence that is exercised by the smaller States in the Union. It is impossible to place too much emphasis on this gross discrimination that is demonstrated in the political history of this country by the overbalance of elected officials and appointees in the executive and judicial branches of the Federal Government from the larger States in the Union, as opposed to the elected officials and executive and judicial nominees who have resided in the smaller States of the Union. I have stated time and time again the self-evident fact that the Senate is the last political entity in the United States where the smaller States can effectively achieve and fight for their fair share of power and influence in directing the course that this Nation shall follow.

I have further pointed out that as more power is centered in Washington and as the influence of the Federal Establishment becomes greater and greater, it becomes more and more important for the smaller States to hold and cherish the prerogatives that give them both the right and the power to speak as coequals with all other States. Freedom from gag rule in the U.S. Senate is the greatest weapon that can exist and protect the smaller States and the people thereof from being completely swallowed up into the maw of federalization. Some of the old charts that I have previously prepared and which I mentioned in passing Thursday a week ago, demonstrating the extent of control by the larger States in the affairs of the Nation as opposed to the control and influence of the smaller States, have been recast in different terms and forms, and I am confident that this new information, although some of it is repetitious, will be of great interest to the Senate, and it should be of particular interest to the States which have been so completely lacking in representation in the executive and judicial branches of our Government.

Twenty-one citizens of the 5 largest States have been elected to 34 terms as President of the United States, while only 9 citizens of all the remaining States were elected to 10 terms. Two of the Presidents from smaller States, President Coolidge and President Truman, were elected to the Presidency after succeeding to the office from the Vice-Presidency.

As the population shifted, so did the Presidency. These 21 Presidents for 34 terms were supplied by 7 States when these States were among the top 5 in population. Only 13 States have seen their citizens elected President while the inhabitants of 37 States have been relegated to second-class citizenship. Three States alone—New York, Ohio, and Virginia—furnished 15 Presidents—counting Grover Cleveland once, not twice—for 25 terms.

Virginia, while one of the 5 largest States, monopolized the Presidency for 32 of the first 36 years of our Nation, but has not elected a President since it ceased to be one of the 5 largest States in the Union. New York elected 5 Presidents for 10 terms and Ohio elected 6 Presidents for 7 terms.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table showing that the five largest States have, through the history of our Nation, dominated the election of the President of the United States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

5 LARGEST STATES (AT THE TIME OF EACH PRESIDENTIAL ELECTION)

State	Presidents		Terms elected
	Number	Name	
Virginia	4	Washington, Jefferson, Madison, Monroe	8
Massachusetts	1	John Adams	1
Tennessee	2	Jackson, Polk	3
New York	5	Van Buren, Cleveland, Theodore Roosevelt, Franklin D. Roosevelt, Eisenhower.	10
Pennsylvania	1	Buchanan	1
Illinois	2	Lincoln, Grant	4
Total	21		34

REMAINING STATES

Massachusetts	3	John Quincy Adams, Coolidge, Kennedy	3
Louisiana	1	Taylor	1
New Hampshire	1	Pierce	1
Indiana	1	Benjamin Harrison	1
New Jersey	1	Wilson	2
California	1	Hoover	1
Missouri	1	Truman	1
Total	9		10

Mr. EASTLAND. Mr. President, domination by the larger States does not stop at the Presidency, but also overshadows appointments to the Supreme Court and lower echelons of government and has done so since the first days of our Government. In 175 years 4 of our oldest States, ratifiers of our Constitution, have been honored with nothing more than the following Supreme Court and Cabinet appointments:

Delaware: The first State to ratify our Constitution; no Supreme Court appointments and five Cabinet appointments.

New Hampshire: One Supreme Court appointment and three Cabinet appointments.

Rhode Island: No Supreme Court appointments and only one Cabinet appointment.

Vermont: No Supreme Court appointments and three Cabinet appointments.

Almost half of the Supreme Court appointments went to the five largest States. Forty-nine citizens of the 5 largest States were appointed to the Supreme Court, while 54 appointments were doled out to the remaining States. Two hundred Cabinet appointments were awarded the 5 largest States while 216 were divided among the other 45 States. Included in these 216 appointments are the posts of Secretary of Agriculture and Secretary of the Interior, which are traditionally filled from rural areas only.

Thirty-seven States have been ignored in the election of Presidents.

Twenty-one States have never been represented on the U.S. Supreme Court. They are Alaska, Arizona, Arkansas, Delaware, Florida, Hawaii, Idaho, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Ver-

mont, Washington, West Virginia, and Wisconsin.

Ten States have never received a Cabinet appointment. These States are Alaska, Arizona, Florida, Hawaii, Idaho, Montana, Nevada, North Dakota, South Dakota, and Wyoming. Nine of these ten States—all except Wyoming—have registered zero in each category—no Presidents, no Supreme Court appointments, and no Cabinet appointments.

For example, Idaho, a State for 72 years, has never been entrusted with executive or judicial authority in the affairs of our Nation. What a contrast with the State of New York, with 5 Presidents for 10 terms, 13 Supreme Court appointments, and 63 Cabinet appointments; or with Virginia, with 4 Presidents for 8 terms, 5 Supreme Court appointments, and 26 Cabinet appointments; or with Ohio, with 6 Presidents for 7 terms, 9 Supreme Court appointments, and 26 Cabinet appointments; or with Massachusetts, with 4 Presidents for 4 terms, 8 Supreme Court appointments, and 33 Cabinet appointments.

States that which once were large, but since have faltered in the population race, can anticipate the same treatment in the future as that received in the past by Idaho, Arizona, Florida, Montana, Nevada, North Dakota, and South Dakota.

I do not pretend to argue that the Senate alone can effectively achieve a rebalance of distribution in nominations and appointments to the executive and judicial branches of our Government. That result must be achieved by a more fundamental change in our consitutional processes. I do, however, state without fear of contradiction that the present U.S. Senate, because of its character and organization, is the only place where the people who reside in the smaller States can receive the character of representation and speak with the voice and exercise the power that the Constitution was designed to provide for them. The Senate as now constituted gives to the small States a lever whereby they can negotiate with the Federal Government from a position of strength, rather than one of weakness. A further limitation on free debate in the Senate would erode that position of strength, and would tend to make the voice of the smaller States weaker and weaker in the operation of the affairs of the Federal Government in the executive and judicial departments, as well as in that of the legislative branch of our federal system.

Mr. President, with further reference to the U.S. Senate as a continuing body, I should like to refer to the literal language of the Constitution, to point out the provisions which unquestionably define and delineate the nature and character of the Senate and demonstrate how widely the Senate differs in organization and nature from the House of Representatives:

ARTICLE I, SECTION 3

The Senate of the United States shall be composed of two Senators from each State, * * *.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the Second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year. * * *

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

* * * * *

The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate, which has the power to ratify treaties negotiated by the President, and to confirm Presidential nominations for executive offices is always at the beck and call of the President.

Prior to the enactment of the 20th amendment, when Congress expired on March 4, and a President took office on that day, there was no organized legislative body to do business, nor would there have been until the first Monday in December next. It was the practice of the outgoing President to call a special session of the Senate for March 4, so it would be in readiness to confirm the appointments of the new President to the Cabinet and to other posts.

Both the original Constitution and the 17th amendment provide that a State executive can make a temporary appointment to fill any vacancy in the representation of any State in the Senate. The same power of executive appointment does not extend to a Member of the House of Representatives, who can be designated only by a special election.

The following sections of the Constitution require affirmative votes by more than a bare majority of the Members of the Senate:

Article I, section 5, provides that a Member of the Senate can be expelled only with the concurrence of two-thirds.

Article II, section 2, gives the President the power to make treaties, with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

Article V provides no State without its consent shall be deprived of equal suffrage in the Senate. Article V also provides that a two-thirds vote of both Houses is required to propose amendments to the Constitution, or that, on the application of the legislatures of two-thirds of the several States, Congress shall call a convention for proposing amendments. For ratification, a majority of three-fourths of the legislatures of the several States is required or, if by convention, three-fourths thereof. No President, Vice President, or civil officer of the United States can be removed from office following impeachment without the concurrence of two-thirds of the Senate sitting in trial.

It is the continuing nature of the Senate that in a very definite sense carries with it the corollary that in the world's greatest deliberative body there should be full, free, and untrammeled debate on any public issue. These provisions of the Constitution make a Senator an ambassador of a sovereign State, and give to him the free right to place before the Senate and people of the Nation the problems which involve the life and welfare of the people he represents. They make the Senate a court of States, as was originally designed in the Constitution. The Senate is the ultimate shield against the tyranny of transient majorities. Majorities at any given moment are more often wrong than right. Every government which protects freemen must guarantee certain basic rights without which no man can be free. Each man has the right of freedom of speech, freedom of the press, liberty, and the pursuit of happiness. To these fundamental guarantees, the right of unlimited debate is a great safeguard. To adopt majority cloture would be to change the character of our basic government itself. The unalienable rights proclaimed by Jefferson in the Declaration of Independence were rights which were inherent in the individual citizen. They cannot be nationalized. They start at the bottom, not at the top. Free debate safeguards these rights.

The principle of free debate in the Senate has been endorsed by many of our great leaders in the past, among them Thomas Jefferson, Henry Clay, James Buchanan, Abraham Lincoln, Woodrow Wilson, and many of our modern leaders. Thomas Jefferson stated his view on limited debate and the majority rule in this language:

The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to the rightful, must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.

Woodrow Wilson, one of our greatest students of constitutional government and the political system under which this Government operates, had this to say in his book "Congressional Government," page 22:

An attempt was once made to bring the previous question into the practices of the Senate, but it failed of success, and so that imperative form of cutting off all further discussion has fortunately never found a place there.

On page 485 of "Congressional Government" President Wilson again says:

The Senate can afford to do without any cloture or previous question.

On page 219 of "Congressional Government" President Wilson explained the reason for his belief in unlimited debate:

Still, though not much heeded, the debates of the Senate are of great value in scrutinizing and sifting matters which come up from the House. The Senate's opportunities for open and unrestricted discussion and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revision.

Regardless of what later views President Wilson might have adopted, as a

scholar and a historian he recognized and stated in most powerful terms the inherent value and safeguard that was lodged in the U.S. Senate when it was given complete and unlimited freedom for Senators—debate without a gag rule. The vast consolidation of our Federal Establishment, its enormous increase in control and direction of the rights of the citizens of the country, makes it more important today than at any other time in our history. Let this principle be maintained. In the original debate on rule XXII in 1917 Senator La Follette made a penetrating observation which is as valid today as it was then.

Senator La Follette was the greatest progressive of all time. He was often called a radical. But he saw the danger to human liberty should the rule of the Senate which we are discussing be changed. He said:

I realize how the hysteria of the moment may be driving Senators to acquiesce here in a procedure which at another time they would resist with all their force. But so far as I am concerned I will never by my voice or vote consent to a rule which will put an end to freedom of debate in the Senate. The adoption of this rule marks a decline in the influence of the Senate in the Government. I know that the majority are determined. I believe that a majority of that majority are in this matter yielding their judgments, and that the time will come when the men who are now clamoring for this change and who by their votes are imposing cloture upon the Senate will see that rule invoked to deprive them and their States of what they deem their rights. I cannot prevent the adoption of this rule, so I am content at this time to protest and vote against it.

I would also like to repeat the splendid remarks made by Senator Sherman, a Republican, of Illinois, during the course of this same debate:

Why do both Republican and Democratic Senators hesitate to close the only open forum in the United States? Now they will close it only when fearing war. It is generally understood that near the close of a session the freedom of the discussion, without limitation as to time or subject, may be successfully employed to kill a bill. Seldom has history proved that few, if any, meritorious measures have ever been so defeated. If a well-defined public opinion has favored any pending bill, the members of no political party care to take the responsibility of "talking a bill to death." It is only when a measure is fairly questionable and no popular verdict has been had that unlimited debate is destructively employed. If a bill is seasonably urged, it cannot be so beaten.

Since I have been in the U.S. Senate, in every discussion of cloture the proponents of more stringent gag rule have attempted to equate limitation of debate with the passage of civil rights legislation. Regardless of how much I may personally be opposed to the enactment of any civil rights proposals, the history of the Senate and the legislation now on the statute books proves beyond peradventure that when a sufficient number of Senators want civil rights legislation enacted it can be passed through this body and votes can be reached on practically any single proposal of any nature and character that a Senator urges for adoption. At a later point in this discussion I will present to the Senate a record which will disclose the number of votes that have been taken on civil rights issues and the results thereof. In addition to the actual provisions of the Civil Rights Act of 1957 and the Civil Rights Act of 1960, proposals of every conceivable nature and character have been put to the Senate and defeated. The Senate is designed to protect all the people of the United States as they are divided into separate States. It protects them on every conceivable issue which affects their most vital interests and welfare. I venture that with the passage of time there will inevitably come a change of interest from one section of the country to the other. Where those today press most for a change in rule XX they will be forced to move on the other side of the aisle and become the most vigorous opponents of any limitation of debate in the U.S. Senate.

Mr. President, in several previous debates on the subject of further gag rule in the U.S. Senate, I had reached back into history to draw the parallels and make the comparisons as to what happened in the days long gone by as far removed as the Roman Senate and the British Parliament in 1882. As long as it is required that we continue to debate the issue of free speech in the U.S. Senate we must go back again and again to the review of facts and circumstances far removed from our day and time. They are always pertinent and they always point up the fundamental truth that the U.S. Senate, unique in all history as the world's greatest deliberative body, achieves this distinction only because it permits a freer form of discussion and debate than has ever been known in any legislative body in all of history. Let me turn for a moment to a review of Roman history.

It was a combination of forces intent on destroying the freedom of the Roman Republic that first attacked the right of unlimited debate in the Roman Senate. Julius Caesar in his ambition to manipulate the Roman mob to further his own acquisition of power achieved the design by further whittling down the power of the Roman Senate. The three most influential and ambitious men in Rome at this time were Julius Caesar, the idol of the multitude and a skillful propagandist; Pompey, a brilliant soldier who had just won great victories in Asia rivaling those of Caesar in Gaul; and Crassus, one of the leading lawyers of Rome and a man of enormous wealth. All three of these men yearned for supreme power but temporarily laid aside their mutual jealousies to form the first triumvirate. By arrangement, Caesar was elected to the consulate along with Bibulus, who furnished the funds for a great election drive, so corrupt had Roman elections become at this time. Soon after his inauguration as consul which was the highest office in ancient Rome, Caesar in order to advance his popularity with a large floating population of Rome, proposed the Campanian lands which were owned by some of the older families of the senate and which were farmed out at a rent fixed by Roman law should be divided among 20,000 poor citizens. The Roman Senate was opposed to this proposal by Julius Caesar, but Caesar would not be balked in his purpose and with the aid of his lieutenants he quietly gathered a large armed mob which cleared the Roman forum of all who opposed Caesar's move and even hunted three of the Roman Tribunes who opposed Caesar's demands. Frightened for their lives the Roman Senate hastily enacted Caesar's proposition into law, and at Caesar's insistence every member of the senate took an oath to observe the provisions of the law giving the title to the Campanian lands to those adherents of Caesar.

Mr. President, the turning points of history are not always on the battlefield. Here was a great turning point of Roman history when Caesar broke the back of the Roman Senate, and though the Senate existed in name for another 500 years until it was dissolved and its members pensioned off by Odoacer, the King of the Gods, from this time on it was always more or less of a rubberstamp for the Emperor of Rome.

Mr. President, one of the major lessons of history is the difficulty with which mankind maintains a government based on principles of freedom. To the superficial observer it might seem as if concentrating all power into the hands of the majority of the people would be the best guarantee of a continuance of a regime of freedom but this is not the lesson of history. Indeed, I should be inclined to call the result of such action the No. 1 lesson of history, since so much of human grief has been the result of tyranny and so much of human happiness has been the result of liberty. Almost the No. 1 lesson of history is that unless the rights of minorities are protected from the tyranny of the majority, the majority, skillfully propagandized and manipulated by unscrupulous men consumed with personal ambition, will surrender their power to leaders who thereupon become tyrants over the people. Thus has Rome become more and more Democratic with an ever-enlarging franchise and fewer and fewer safeguards for traditional liberty and minority rights. Rome made the tragic transition from liberty to tyranny under Julius Caesar. The people of France in the 1790's forgot their enthusiastic espousal of liberty, equality, fraternity, and presently found themselves under the iron rule of Napoleon. Russia in 1918 under Kerensky had a socialized democracy which survived less than a year before the people found themselves under the bloody dictatorship of Lenin and Trotsky. The dictatorship of the majority of the people or of the proletariat—call it what we will—when minority rights are trampled underfoot it invariably becomes a dictatorship over the people.

Mr. President, the adoption of a cloture rule in the British House of Commons in 1882 was a shameful event in English history. It was a ruthless effort to gag and overcome the Irish minority in the Parliament who were determined to exert the right of Irish home rule. But laying aside for a moment the circumstances of why the cloture rule was adopted in the British Parliament, it cannot be cited as a parallel for justifying cloture in the

Senate of the United States because of the difference of the character in constituency of the House of Commons as compared to the U.S. Senate. The House of Commons must roughly be made comparable to the House of Representatives in the U.S. Congress, and while even today we have only 435 Members of our House of Representatives and under the House rules there is no unlimited debate, the House of Commons has a membership of 630, and at one time there were as many as 717 Members of that parliamentary body. The House of Commons was designed for an entirely different purpose from that of the U.S. Senate, and it has never operated in the manner in which the U.S. Senate operates. That cloture did not exist for so long a period of time in the House of Commons is within itself a remarkable circumstance. But since the previous question has also been injected as an issue in the general debate over free speech in the U.S. Senate it is most pertinent to review once more what happened in the House of Commons in 1882.

There was a great famine in Ireland in the year 1879. English landlords could not collect the rents and convictions were wholesale. Charles Parnell founded the Irish National Land League, an organization designed to obtain a fair rent, a rent that the tenant could reasonably pay according to the times. The league was bent on preventing delinquent tenants from being dispossessed. As a consequence, friction, tension, and animosity developed between the English landlords and the Irish tenants.

Parnell visited the United States in 1880 to raise a relief fund for the tenants and for promotion work of the Irish National Land League. When he returned to England and continued his speaking tour in Ireland, he was arrested and indicted for seditious conspiracy. The trial opened in Dublin, January 5, 1881, and lasted for 20 days. It was obvious to the Government that no conviction could be obtained.

Because of the famine, the inability of tenants to pay rents, the refusal of tenants under some circumstances to be evicted from the land, it was necessary for the Government in England to devise some means to cope with this situation for the benefit of the English landlords. The last thing the Government was concerned about was the welfare of the people of Ireland.

To solve the Irish question, the Government introduced in the House of Commons a coercion bill. Two of the most hideous features of this bill provided, first, that arrests could be made on mere suspicion and the suspect incarcerated in jail without trial for a long period of time; and, second, denial of the right of habeas corpus to imprisoned tenants.

Parnell returned to his seat in Parliament, and on the day the coercion bill was presented to the House, arose on the floor and introduced an amendment providing "that peace and tranquillity cannot be promoted in Ireland by suspending any of the constitutional rights of the Irish people."

Approximately 20 of the homerulers were present in Parliament to participate with Mr. Parnell when he attempted to educate the English Parliament on the implications of the coercion bill. What happened is graphically described in the words of one of the Irish Members, John McCarthy:

> We were then about 20 strong, all told; and the House of Commons contains some 650 Members. With the exception of some half a dozen stout English radicals who were always on our side, the whole House was against us. Every man's hand was against us, but I am bound to admit that our hand was against every man. We made a great many speeches in those days. The House of Commons did not always listen to us, but we made our speeches all the same. We kept the House sitting through long and weary nights; we kept the House sitting once from 4 o'clock on the Monday afternoon until 6 o'clock on the following Wednesday evening, no intermission of debate all that time. We went in for open and avowed obstruction; we declared that, so long as we could, we would resist the coercion bill. Then they tried to amend their procedure, and made all sort of new rules to introduce a closure meant, of course, only for the Irish Members—I mean those who called themselves emphatically the Irish Members. Once or twice the Speaker accomplished a very coup d'etat, and brought a long debate to a sudden close. We were each of us suspended from the service of the House. We were all of us expelled from the House in a body on one memorable evening; each of us refusing to leave the House until the Sergeant at Arms had gone through the formula of using force to carry out the mandate of the majority. Of course, we came back again the next day, or on whatever day the sentence of suspension expired; and we went on with our work of obstruction as if nothing had happened. We were doing just what we wanted to do; we were arousing the attention of England and Scotland and the civilized world. Our cause was gaining every day in Ireland, and among the Irish in America and Australia.

Mr. President, this scene describes one of the brightest chapters in the long struggle of the Irish people for freedom and independence. It further illustrates that, regardless of what is done to a determined minority in the way of gag rule, if the minority supports a principle that is founded in truth and justice, tenacious adherence to the principle will prevail. The principle of free and unlimited debate in the U.S. Senate is one that deserves the utmost support from transient majorities and transient minorities alike. We should never permit this body to fall into the trap into which the House of Commons fell in 1882. This greatest deliberative body on earth is one of the brightest and most shining jewels on the crown of man's struggle for the ultimate degree of human freedom and liberty. People and nations come and go. The world moves at a faster and faster pace, but it is an incontrovertible fact that these United States are a result of the political design that was written by our forefathers into the Constitution of the United States. As long as that Constitution remains steadfast to the design, the United States is safe from all assaults of subversion from without and power grasp from within. Mr. President, if you destroy the structure of the sovereign States, you weaken the ability of this country to resist pressures from without and pressures from within. History stands in judgment that the course we have pursued and should continue to pursue is the best course for people who love their rights, privileges, and freedoms under law more than life itself.

I respectfully submit that Senate Resolution 9 and the substitute offered thereto should be rejected by the overwhelming vote of this body.

Mr. President, I have previously mentioned that our Government is republican in form, and not a democracy. In this regard I want to hark once more to the founders of our Government and a very important distinction that they made between a democracy and a republic. It is interesting to know that the word "democracy" was never once used in either the Declaration of Independence or in the Constitution, and a perusal of the Journal of the Constitutional Convention kept by James Madison indicates clearly the distinction in the minds of the founders between the democracy which they wished to avoid and the republic which they wished to set up. This distinction has a very significant bearing upon the question of unlimited debate because unlimited debate is unheard of in a democracy but essential to the successful functioning of a republic. A republic differs from a democracy in the devices provided for the protection of minorities from the tyranny by the majority. Features in our Constitution providing such protection to minorities are:

First. The separation of powers into legislative, executive, judicial—the so-called system of checks and balances.

Second. The election of Senators on a basis of State sovereignty instead of on a population basis. If New York had Senators on a population basis, it would have about 150 times as many Senators as Nevada. Our founders rightly saw fit to avoid this and give the thinly populated States of mountain and plain and of small area the protection of equal representation in the Senate. If the so-called small States of 1787 had not been given equality in one House they would never have accepted the Constitution.

Third. The first 10 amendments—the so-called Bill of Rights for Minorities.

Fourth. The provision whereby only one-third of the Senate is up for election at any one time.

Fifth. Division of authority between States and Federal Government so that neither should become all powerful and that local issues should be solved by the States themselves.

Unlimited debate is a concept harmonious to the spirit of a republic designed to protect minorities. Gag rule goes against the spirit, if not the letter, of the Constitution of our Republic. An article in Plain Talk magazine of November 1948, entitled "Democracy and the Republic," by Edna Lonigan, is most pertinent, and well worth rereading today. I read from this article:

> The framers of our Constitution gave us the most skillful and ingenious design for a Republic which had ever been devised.
>
> They were determined that the new Nation should not suffer the fate of the republics of Greece, Rome, and Italy. They looked for the source of the weakness in free society and found it just where Aristotle had found it: in a country governed by the

people, ambitious demagogs always try to climb to power in time of crisis by playing on the fears of the citizens, and turning them into frightened mobs who follow the would-be leaders for a slogan or the promise of bread.

To prevent that clear danger, the leaders of the Convention devised a simple remedy—the dispersion of power. They divided governmental power into many smaller pieces and set up barriers so that no one could get hold of more than a single piece. The first barrier is that the States were made independent sovereign entities, equal to the central Government. The Federal Government was primus inter pares, first among equals. It was given power to manage specific things, mostly connected with national defense; all other powers were reserved to the States forever.

The founders not only divided governmental power so that it flowed in separate Federal, State, and local channels, but they further divided the Federal power by setting barriers between legislative, executive, and judicial arms. Power over the flow of taxes and spending was given wholly to the Congress, the body which was closest to the people who paid the taxes, and which could gain no power for itself by spending other people's money.

Mr. President, I ask unanimous consent that my remarks today be not counted as a speech against the motion or resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. I continue to quote:

The work of the courts was also made completely independent of the executive power.

This system of checks and balances meant that the new Central Government was strong in dealing with foreign nations, but could not turn its power against its own people. The executive had the army and the police power, but it could not use them to interfere with the citizens, the Congress or the courts, because Congress could withhold the executive's money, and the courts could protect the citizen from seizure.

It is not correct to say American democracy means "government of the people" or "majority rule" unless those phrases are carefully qualified. Much confusion arises from the fact that the word "government" applies to two quite different meanings. It may refer to the whole political organization of the people of a nation, or merely to the executive apparatus (the state). We in America have a political system which is free, because we have a governmental apparatus which is limited, so that even the majority cannot use it to control the rest.

The correct statement is that in the American Republic the majority elects the officials but the officers do not rule. They administer duties carefully defined in the Constitution. We can change our officials, because they cannot get power enough, if they obey the Constitution, to control us.

We teach government courses to our young people as if these checks and balances were verbal abstractions. But the American colonists did not think of power as an abstraction. They thought of it, as those who try to escape from Soviet Russia think of it, as the power to seize and to destroy. Brooks Adams has told how colonial officials hanged men and women, whipped them or cut off their ears because they were Baptists or Quakers. The royal governors used power to wipe out the colonial legislatures and make the courts subservient.

The colonists knew power seekers firsthand and they were thoroughly sick of them. They decided that no one needed power over other men, or was wise enough to use it well.

The design sense of the Greeks culminated in the Parthenon. The design sense of the Middle Ages culminated in the cathedrals. Eighteenth-century Americans built with intangibles. Their design sense left us the exquisitely balanced structure for the control of the police power, which we call the American Constitution. No one can destroy our Republic so long as our citizens understand that design and insist that public officials live and work within it.

What then does democracy mean in America, why does it stand for something warm and vital, if it does not mean literal majority rule?

The answer is best given by a story. A prominent American official was speaking. "My grandfather came from England," he said. "He was a farmer. One day when his wheat was ripe for cutting, the squire came riding by to hounds and started across the fields with his party. My grandfather rushed out to protest but the squire paid no attention. When grandfather ran up to ask him to stop, the squire struck him across the face with a riding crop.

"Grandfather kept quiet with the greatest effort, and said to himself, 'I mustn't say anything, I must go to Ameriky. I musn't say anything, I must go to Ameriky.' He took all his money and came over, and then sent for his family."

Millions have made the long journey from Europe to America to get away from just such conditions. The story is an epitome of the centuries of feudal restraint from which they sought to escape.

The philosophy invented by the growing classes to help them in their struggle was the philosophy of individualism. When Jefferson said that all men were created equal, he did not mean that they were of the same height, or had the same abilities. He meant that they ought to start equal, without any hereditary privileges or disabilities, such as had grown out of the feudal division of labor. They were neither lords nor serfs, but persons. Burns put it, "the rank is but the guinea's stamp. A man's a man for a' that."

American democracy has then a very real meaning. It meant and still means the absence of privilege, especially privilege for the few, obtained through law or government. Success won by personal ability or effort is good under our democracy, but any step by which individual advantages are converted into hereditary privileges or legal rights for a few is a violation of our democratic faith.

The founders knew that attempts would be made again and again to set up new privileged classes. They refused to create a nobility or a large army, or even a social organization of officers of the Revolutionary Army, like the Cincinnati, because they were mortally afraid of the rise of privileged groups.

They believed that governments should be changed every few years, and the "ins" turned out, because if any one group practiced the arts of government for any length of time, they would make a closed corporation of it. It was a matter of honor for army officers and civil servants to return promptly to civil life, like Cincinnatus. No American needed or wanted rank or title, office or authority. Citizenship was the highest honor.

Democracy in America comes from our rebellion against every form of privilege based on fixed or inherited rights, or rights derived from membership in a class, instead of on performance. That is our idea of equality. The republic of limited powers comes from our rebellion against the strong governmental apparatus of the kings. There is no conflict between our idea of democracy and our Republic. On the contrary, strong resistance to the rise of privileged groups is the best protection against those who would destroy the Republic.

Mr. ERVIN. I wonder if the Senator will yield to me for several questions?

Mr. EASTLAND. I yield.

Mr. ERVIN. I should like to state as a preamble to my question that I am very much impressed by what the Senator says about the Senate being a body in which the smallest State has equal representation with the largest State, and where a Senator from the smallest State has the same voice in debate that a Senator from the largest State has. The Senator was acquainted with the great Judge Learned Hand, who died recently, was he not?

Mr. EASTLAND. Yes.

Mr. ERVIN. The Senator recalls, does he not, that on one occasion Judge Learned Hand made a very wonderful speech on what he called "The Spirit of Liberty"?

Mr. EASTLAND. Yes, I remember it.

Mr. ERVIN. Does the Senator recall that in the course of that speech Judge Learned Hand said:

The spirit of liberty is the spirit that is not too sure that it is right.

Mr. EASTLAND. Certainly.

Mr. ERVIN. He also said:

The spirit of liberty seeks to understand the minds of other men and women.

Mr. EASTLAND. Yes.

Mr. ERVIN. Does not the Senator think that that is a proper reflection of what the Senate ought to be; that a Senator should proceed upon the theory that, being a human being, he cannot be absolutely certain of the complete rectitude of his view and the unsoundness of the views of those who oppose him, and for that reason he ought to be willing to seek to understand what the other man's views are?

Does he not think that the Senate is a very good place to think of the spirit of liberty?

Mr. EASTLAND. Certainly it is. That is the basis on which our country was founded.

Mr. ERVIN. Does not the Senator recall that in the closing part of the speech Judge Learned Hand said that the spirit of liberty believes there ought to be a place where the least can be heard alongside the greatest?

Mr. EASTLAND. That is correct; I remember that statement.

Mr. ERVIN. Does not the Senator think that we can understand from that expression in the speech of Learned Hand on the Spirit of Liberty, that if there is any place in this Nation or in the world where the spirit of liberty abides in the sense that the least should be heard alongside the greatest that place is the Senate of the United States?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not the Senator agree that it will remain there so long, and only so long, as the Senate retains some rule such as rule XXII, which affords to the least as well as to the greatest the right of every Senator to represent his people and speak his mind freely?

Mr. EASTLAND. That is correct.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that Mr. Walter Reuther, one of the great labor leaders in America, is perhaps the principal protagonist behind the effort to change the rules of the Senate?

Mr. EASTLAND. I have heard that said.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that Mr. Reuther is a major campaign contributor?

Mr. EASTLAND. I think he stands for legislation which would go far, far to the left in this country. He wants to change the rules so that such legislation can be passed.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that Mr. Reuther is one of the main contributors to the campaign funds of some Senators and Representatives?

Mr. EASTLAND. I would not know about that. I would not mention a rumor on the Senate floor. That might very well be true; I do not know. I do not know of anyone who is a contributor. I have heard, of course, that unions put up money in great sums in politics. I have never received a contribution from a union; so I would not know how to answer the Senator's question.

Mr. LONG of Louisiana. The Senator knows, does he not, that even though the law forbids a labor union to contribute, the individual members can raise money and contribute?

Mr. EASTLAND. It is the same thing. The union machinery, of course, raises money from the individual members. Yes; I have read about it and heard about it. Yet I could not actually say that anyone ever got a contribution that was raised through the machinery of a union.

Mr. LONG of Louisiana. I thank the Senator. Assuming that Mr. Reuther might have an interest in this subject matter, and that he might have helped to elect some Senators, is not the Senator from Mississippi familiar with the fact that Mr. Reuther thought that the space satellite bill of last year was a very bad bill, just as some Members of the Senate did?

Mr. EASTLAND. I would think he thought that, yes.

Mr. LONG of Louisiana. Does not the Senator from Mississippi recognize the fact that had it not been for the 1959 change in the rules, the communications satellite bill would never have been passed, because of a lack of 67 Senators to vote for cloture?

Mr. EASTLAND. That is correct. Whenever people seek to have the rules changed, the chickens come home to roost.

Vice President Dawes advocated the repeal of rule XXII the day he became Vice President in 1925. He was slapped down in the Senate and was ridiculed by the American Federation of Labor, because the American Federation of Labor said that rule XXII afforded the greatest protection to the workingman.

Mr. LONG of Louisiana. Has it not been true that in many instances rule XXII has been used to protect the rank and file of the people from abuses which could have resulted from the wealthy and powerful interests which were seeking to pass legislation to favor their own particular situations?

Mr. EASTLAND. Yes. In 1917, Senator La Follette, Senior, opposed any change in rule XXII for that very reason. He believed that the special interests and powerful groups would overrun the laboring man, the little man, the people without power or influence in this country, if it were not for rule XXII.

Mr. LONG of Louisiana. Is it not also true that George Norris, one of the great Senators of all time, repeatedly used the right of free debate in the Senate to oppose the giving away of national resources to special interests?

Mr. EASTLAND. Certainly; that is correct.

But now the shoe is on the other foot. At that time the laboring groups in this country supported rule XXII. The liberals supported it. The Progressives supported rule XXII. Eastern industry was in the saddle. Rule XXII protected the interests of the laboring people, the farmers, the little people of the country.

Now industry has lost its great power, control, and interest in the Government which it once had. Now the unions have them. When industry wanted to change rule XXII, industry was opposed by the unions. Now the change in the rule is advocated by the unions, because they have proposals which they want to have passed. They have things which they want to have done. This shows that there has been a change from one foot to the other.

Such activity shows the soundness of maintaining the right of free debate and free speech in the Senate, regardless of whose shoe pinches, regardless of who gets hurt. Rule XXII is a sound proposition, one which protects this country. It should be preserved.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield for a further question?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Would not the Senator agree that it would be extremely shortsighted for any labor leader to advocate a situation which would permit any group to have its cause subject to the violence and the roughshod tactics which can occur in the heat of passion, particularly in view of the fact that a time may come when, in the midst of a nationwide strike, someone will propose the curbing of the rights of a labor union?

Mr. EASTLAND. I am sure the distinguished Senator from Louisiana remembers that rule XXII prevented the destruction of the railroad brotherhoods at the time of a railroad strike. President Truman had sent a special message to Congress in, I believe, 1948.

Mr. ERVIN. It was in 1946.

Mr. EASTLAND. I thank the Senator. The measure would have absolutely destroyed the railroad brotherhood. By the use of rule XXII, Senator Robert Taft prevented the passage of that bill.

Mr. LONG of Louisiana. Is it not true that on that particular occasion a bill which would have drafted the striking railroad workers into the Army passed the House within a day or two after it was introduced?

Mr. EASTLAND. It was passed on the same day. As I recall, the House passed the bill on the same day the message came to Congress. The bill then came to the Senate. It would have passed the Senate by an overwhelming vote that day if the previous question could have been moved. But the passage of the bill was stopped by Senator Taft and other Senators. Now their wisdom is apparent to everyone.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that labor leadership has oftentimes been criticized as being shortsighted and unreasoning in its approach to some of labor's problems?

Mr. EASTLAND. I think all people who assume great power become shortsighted in many ways.

Mr. LONG of Louisiana. Would not the Senator agree that it is as much to the interest of labor and the interest of any minority, or any other group which might someday find itself the victim of abuse by legislation sought by a misguided or shortsighted people, that there be free debate in this body, as the only forum on earth where people can have their case heard without having someone shut it off by some sort of arbitrary rule?

Mr. EASTLAND. I agree with my friend, the Senator from Louisiana.

Let me say that if we tamper with the rule of unlimited debate, the unions and the laboring men will be the first in this country who will be drastically hurt and curbed by such a change.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further?

The PRESIDING OFFICER (Mr. McGOVERN in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. EASTLAND. I yield for a question.

Mr. LONG of Louisiana. Will the Senator from Mississippi inform me of any particular bill which, to his knowledge, someone cares to have passed under gag rule in this Congress? In other words, have we had pointed out to us the necessity for the passage of a particular piece of proposed legislation which those who wish to have this change made in the Senate rule would like to cram down the throats of an unwilling minority?

Mr. EASTLAND. No, I know of no proposed legislation of that sort, and I have heard of none.

Mr. LONG of Louisiana. Then in this situation somewhat like buying a pig in a poke; or, if some of my urban constituents do not know what that means, is not the present situation somewhat like buying a sack without looking inside of it to see what it contains—in other words, the attempt to have such a change made in the Senate's rule XXII, in order to make it possible to coerce the minority to forgo its right to be heard, although those who favor such a change do not even point out the bill they are trying to have passed?

Mr. EASTLAND. The Senator from Louisiana is entirely correct. In fact, I

think history shows that every bill which has been defeated by the rule of unlimited debate in the Senate should have been defeated, and a few months later there was universal recognition that it should have been defeated.

Mr. LONG of Louisiana. The Senator from Mississippi knows that for many years attempts were made to have an FEPC bill passed, but such efforts were frustrated by a number of facts. One was that, in large measure, those who supported such a bill did not in good conscience believe it was a good one.

Mr. EASTLAND. And if a secret vote had been taken in the Senate, I think there would not have been 10 votes in favor of an FEPC bill.

Mr. LONG of Louisiana. Yes. There are many attempts to have Congress tell employers how they must run their businesses. One group, the so-called FEPC group, wants to have the Congress tell employers that they cannot hire on the basis of selecting their employees from any particular race or group or creed, but that they must employ them without regard to race, color, creed, or belief.

Similarly, another group wishes to have the Government require an employer who wishes to hire a man to employ a woman, if she happens to apply before any man applies—or vice versa; or that if an employer wishes to hire a white man, he must hire a colored man, instead, if a colored man happens to apply first for the job.

Then there is the "equal pay and equal rights for women" group; and undoubtedly there will be a group which will take the position that if someone wishes to hire a Protestant preacher, he must, instead, hire a Catholic missionary.

Then there is the "equal pay" group, which takes the position that an employer who wishes to employ a man at a salary of $15,000 must employ anyone who applies for the job, regardless of whether he is worth that large a salary.

Mr. EASTLAND. Is the Senator from Louisiana asking me a question?

Mr. LONG of Louisiana. Yes. So, when all is said and done, if such bills to tell employers how to run their businesses were to be enacted, the employers might just as well go out of business; does not the Senator from Mississippi agree?

Mr. EASTLAND. Yes.

Let me say that today we have the Constitution of the United States solely because of rule XXII in the Senate. The Senator from Louisiana has seen pressure groups appear and public sentiment clamor for things that were not right, and shortly afterward they were generally recognized as not right. So rule XXII has protected our Constitution and our Government.

Mr. LONG of Louisiana. Does the Senator from Mississippi recognize that there is great irritation and considerable dissatisfaction with a pressure group which has a majority of people sign on the dotted line in favor of some proposal, although when the case for it and the arguments for it are fully heard, it becomes evident that the proposal will not stand the light of free debate?

Mr. EASTLAND. That is correct.

In short, I know of no reason to change rule XXII—and certainly not on the basis that it has prevented the passage of desirable legislation. Does the Senator from Louisiana agree?

Mr. LONG of Louisiana. Yes.

Is it not true that, but for rule XXII, the railroad workers could have been drafted into the Armed Forces?

Mr. EASTLAND. That is correct.

Mr. LONG of Louisiana. Is it not also true that, but for rule XXII, the Supreme Court would have been packed, with the result that the President could have had his decisions written into the opinions of that Court?

Mr. EASTLAND. Yes. But of course today the Court is packed.

Mr. LONG of Louisiana. Is it not also true that, but for rule XXII, in 1890 the right of local self-government would have been taken from the States and the local communities?

Mr. EASTLAND. Certainly that is true.

But for rule XXII, we would not have the Constitution, or self-government as our people know it, and our people would not today have the rights and liberties they now enjoy. Rule XXII has been the greatest protector of the people and of our system of government.

Mr. LONG of Louisiana. Mr. President, I wish to thank the Senator from Mississippi, and to congratulate him for the diligent efforts he has made toward preserving the freedoms which the people of our great country enjoy. I wish him complete success in his efforts.

Mr. EASTLAND. I thank the Senator from Louisiana.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. By means of some questions, I should like to elaborate briefly on some of the points which have been made.

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. In reference to the House bill to which the Senator from Louisiana referred a moment ago, does the Senator from Mississippi recall that in the spring of 1946 there was a strike by the United Mine Workers in the coal mines, and that the strike continued for some 5 or 6 weeks, and that, as a result, the supplies of coal in the country ran very low, and the general public was very much exasperated by the continuation of the strike?

Mr. EASTLAND. Yes, I recall that.

Mr. ERVIN. Does not the Senator from Mississippi also recall that at a time when the public passions were somewhat inflamed because of the protracted strike in the coal mines, some of the railroad brotherhoods voted to go on a nationwide strike on a certain day, on account of their disagreement with the railroad operators in regard to certain working conditions?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not the Senator from Mississippi also recall that at that time President Truman addresed a joint session of Congress, and asked Congress to pass a bill, which speedily thereafter was introduced in the House——

Mr. EASTLAND. Yes; and it was speedily passed by the House—on the same day.

Mr. ERVIN. Does not the Senator from Mississippi also recall that that bill was passed by the House by an overwhelming vote, with only about half a dozen dissenting votes among the 435 votes in the House?

Mr. EASTLAND. I do not remember the exact vote; but I know the bill was passed overwhelmingly in the House, and I know it was messaged immediately to the Senate. The bill was not enrolled or engrossed; it was messaged immediately to the Senate, and the skids were greased for the bill to be speedily passed by the Senate on the same day.

Mr. ERVIN. Does not the Senator from Mississippi also recall that after that bill was introduced in the House, and after it was passed by an overwhelming majority of the votes in the House—as the Senator has said—after only a few minutes of debate, then it was immediately messaged to the Senate?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not the Senator from Mississippi also recall that the bill provided that the railroad workers were to be drafted into the Army and were to be required to obey the orders given them as personnel of the Army, regardless of their wishes?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Did not that bill, in effect, attempt to impose involuntary servitude upon the railroad workers?

Mr. EASTLAND. That is correct. Although at that time our country was at peace, officially it was still at war with Germany; and, as I recall, that attempt was based on the President's constitutional war powers.

Mr. ERVIN. Did not that bill constitute a clear violation of the 13th amendment to the Constitution——

Mr. EASTLAND. Yes.

Mr. ERVIN. In that the bill attempted to impose involuntary servitude, although no crime had been committed or no trial had?

Mr. EASTLAND. There is no question about that; certainly that is what would have happened. Yes, that bill would have resulted in a form of slavery.

Mr. ERVIN. In light of the events I have enumerated, which occurred in the Capitol, can the Senator imagine why any labor leader would be so unintelligent or so forgetful of the past——

Mr. EASTLAND. And so greedy for power.

Mr. ERVIN. As to advocate the adoption of a rule under which men could be silenced when they sought to rise to protest against such an unconstitutional measure?

Mr. EASTLAND. The Senator is exactly correct. The bill to which he refers was stopped, Senator Taft and others using rule XXII to stop the bill in the Senate. It was not enacted into law. It was recognized soon afterward that it was wrong. Public sentiment in our country was infuriated at the union. If we were to remove the right of unlimited debate in the Senate, or adopt the proposed three-fifths rule, the unions would be the first to be crucified.

Mr. ERVIN. Is not the claim often made by those who advocate gagging Senators that it is necessary to gag Senators in order to obtain consideration by the Senate of so-called civil rights bills?

Mr. EASTLAND. The civil rights bill is a pretext.

Mr. ERVIN. Does the Senator recall that in 1957 the Senate began consideration of so-called civil rights bills about the 14th of June and continued discussion and consideration of such bills from that time until the 29th of August 1957?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Does the Senator recall that time and time again the Senate voted on various so-called civil rights bills?

Mr. EASTLAND. Yes.

Mr. ERVIN. Including such proposed language as title 3?

Mr. EASTLAND. Yes.

Mr. ERVIN. Does the Senator recall that on the 24th day of February 1960, the then majority leader and the then minority leader stood on the floor of the Senate and told every Member of this body that the Stella School District bill would be called up, and that any Senator who had any so-called civil rights amendments he wished to offer could offer them to that bill?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Does the Senator recall that amendment after amendment was offered, and that the Senate devoted its entire attention to a discussion of so-called civil rights proposals from the 24th day of February of 1960 until the 9th day of April of 1960?

Mr. EASTLAND. Yes, I recall.

Mr. ERVIN. Does the Senator recall that during that period of time there were 45 yea-and-nay votes on questions of that kind, plus unrecorded votes on approximately 25 or 30 other so-called civil rights amendments?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. I ask the Senator if he does not agree with me that since June 1957 the Senate, when in session, has spent more time debating and voting on so-called civil rights bills than it has given to the consideration of measures to insure the survival of our Nation or to provide a stable economy for our Nation or any other one subject?

Mr. EASTLAND. Of course, the Senator is correct.

Mr. ERVIN. In the light of our discussion, does not the Senator agree with me that when a Senator stands on the floor of the Senate, and says that it is necessary to change the cloture rule in order to obtain consideration by the Senate of a civil rights bill, he is either fooling himself or trying to fool someone else?

Mr. EASTLAND. Yes. I believe he is trying to fool someone else. Some fool themselves, of course.

Mr. President, I continue to quote:

Nothing in American democracy says that citizens have a right to govern anybody but themselves, or that a majority has the right to tell a minority what to do.

The idea that "democracy" means the control of some citizens by others, whenever the majority wishes, came out of the French Revolution. Lafayette tried to guide the French Revolution in the direction of liberty, like the American, but he failed, and the French devised a new concept of the Republic, one in which the people wielded a central apparatus as strong as that of Louis XVI. With that apparatus, the majority could impose religious, political, economic, and educational restrains on the minority.

In our country it is fundamental that people have rights that are guaranteed under the Constitution. They are individual rights. The people cannot be deprived of their rights by a majority in this country. Those who created the Constitution of the United States were zealous to provide protection of the rights of the people and the States from transient majorities. That is the great overriding question in the present debate. In my judgment the motion should certainly be tabled.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED JOINT COMMITTEE ON THE BUDGET

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may introduce some bills out of order and discuss them without being charged with a speech on the pending issue.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and it is so ordered.

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill, for myself, and cosponsored by 75 other Members of this body.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 537) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, introduced by Mr. McCLELLAN (for himself and Senators ALLOTT, ANDERSON, BARTLETT, BAYH, BEALL, BENNETT, BIBLE, BOGGS, BREWSTER, BURDICK, BYRD of Virginia, CANNON, CARLSON, CASE, COOPER, COTTON, CURTIS, DIRKSEN, DODD, DOMINICK, EASTLAND, ENGLE, ERVIN, FONG, FULBRIGHT, GOLDWATER, GRUENING, HARTKE, HICKENLOOPER, HOLLAND, HRUSKA, HUMPHREY, INOUYE, JACKSON, JAVITS, JOHNSTON, JORDAN of Idaho, KEATING, KEFAUVER, KUCHEL, LAUSCHE, MAGNUSON, McGEE, McGOVERN, McINTYRE, MECHEM, METCALF, MILLER, MONRONEY, MORSE, MORTON, MUNDT, MUSKIE, NELSON, NEUBERGER, PASTORE, PEARSON, PELL, PROUTY, PROXMIRE, RANDOLPH, RIBICOFF, ROBERTSON, SCOTT, SMATHERS, SPARKMAN, STENNIS, SYMINGTON, TALMADGE, THURMOND, TOWER, WILLIAMS of Delaware, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. McCLELLAN. Mr. President, there are 76 sponsors of this measure, more than three-fourths of the Members of the Senate having endorsed it. The cosponsors join with me in its introduction and in asking for its enactment.

The bill would create a Joint Committee on the Budget. This is not something new or strange to this body, nor is it strange to the country. The bill has been introduced before. It has been passed by the Senate of the United States.

The Committee on Government Operations has reported favorably, and the Senate has approved, in the 82d, 83d, 84th, 85th, and 87th Congresses, bills proposing the creation of a Joint Committee on the Budget.

The 76 Senators who now sponsor the bill represent the largest number who have ever cosponsored it. In the 85th Congress, when there were only 96 Members of the Senate, 71 Senators cosponsored the bill.

I submit, Mr. President, that the conditions which prompted the initial introduction of this measure and its initial passage by the Senate of the United States have in no way diminished. Instead, they have increased in intensity. There is greater need for this measure today than there was previously, and that need grows with each budget message we receive from the President of the United States and with each session of the Congress, as the cost of Government increases and as expenditures rise and as the tax burden is felt more keenly by the American people.

The need is greatly increased. We had presented to us only a few days ago a budget message from the President, which was the annual budget message, in which the President requested that we make appropriations this year in the amount of more than $98 billion, which is the largest peacetime budget ever submitted in the history of the Congress. It is larger than any total expenditure ever made in any fiscal year by this Government, even in time of war.

I am not at this moment criticizing the amount of the budget, except to emphasize the need for eliminating from the budget, as the need existed to eliminate from previous budgets—and as I am sure the need will continue for elimination from future budgets—of any expenditure for which it may call which is in the category of waste or extravagance or excessive spending; and, also, to go further and to eliminate from any budget any item or items of expense or any amount of expense that we can possibly eliminate or cut from the budget without doing injury to the necessary functioning of the Government.

I think we can all agree with that, if we believe in responsible government; if we believe in sound fiscal policy; if we believe there is any virtue, any merit, any wisdom whatsoever in operating our Government on a balanced budget basis.

Now, there are those who believe in operating the Government at a deficit as

a permanent and firm policy of the Government, to spend more continuously in each year than the revenues taken in. Those who believe in that philosophy should not support this bill, whether they are Members of this body or Members of another body. Mr. President, I would say they should violently oppose the bill, because it is contrary to that purpose, and if the bill is enacted and the joint committee functions as it is expected to function, and as I am confident it will, though we may not eliminate all deficit spending we shall substantially reduce the amount of it, I am sure. The prospects will be brighter then for bringing expenditures within the revenues received than the prospects are now or will continue to be if we do not do something about this problem.

To give another illustration, without in any sense attempting to criticize, and without meaning it in any critical sense, to show there is a need for a joint committee on the budget within the Congress, the budget which was presented to us for the fiscal year in which we are now operating—the figures which were submitted to us last year at this time of the session for the present fiscal year—indicated and represented that the expenditures of our Government would be $92.5 billion. That same budget predicted that revenues the Government would receive would be $93 billion, and that thus there would be a surplus of $500 million in the Treasury in June by reason of the fact that revenues would exceed expenditures.

Of course, no one can absolutely know or be accurate as to what the figures will actually be on next June 30, but it is already conceded that, instead of our having a surplus of $500 million when the 30th of next June rolls around, the prospects are we will have a deficit of at least $8,800 million.

In other words, the budget makers in the administrative branch of the Government appear to be not very accurate. I am sure they have done the best they can, but again an error of $9,300 million, or an error of 10 percent in the total expenditures of the Government, clearly indicates the need for further checking, evaluation, examination, and a better "look-see," if one can be made, to give guidance to the Congress with respect to the fiscal affairs of our Government.

If there were no other reason—and there are many others that I shall mention, but if there were no other reason at all—except that of the Congress being confronted from year to year with budget estimates that repeatedly prove to be inaccurate and erroneous and unreliable, that reason alone would be sufficient to warrant the enactment of the bill that 76 Senators have today introduced.

This proposed legislation, which has been developed and perfected by the Committee on Government Operations during the past 12 years, is designed to remedy serious deficiencies in the appropriation procedures and to improve—and it will greatly improve—the surveillance over the expenditure of public funds. It constitutes a positive approach to the elimination of extravagance, waste, and needless or excessive appropriations. The swollen cost of operating the Federal Government, to which I have already referred, with annual budgets now approaching $100 billion, dictates the compelling necessity of reducing the cost of Government, where it is prudent to do so, in order to restore sound fiscal policies.

Mr. President, when I referred to the budget situation a few moments ago, I did not mention the recent development of the proposed tax cut over the next 2 or 3 years, which would reduce revenues, not increase them, to meet the obligations we are expected to incur and will have to meet, but a tax cut which would reduce revenues by $13.6 billion, with a recommendation for certain tax revisions, a broadening of the tax base in some areas, which would restore some $3.4 billion of that cut or of the revenues which would be lost if the tax cut recommendations were to be accepted and adopted by the Congress.

Mr. President, assuming that program is carried out, assuming the Congress enacts, to the extent of every letter, the crossing of every "t," the dotting of every "i," the recommendations pending before us, such action will further increase the gap between the revenues the Government will receive and the expenditures that will be made—again emphasizing the need for the Congress to meet its responsibility to do everything in its power, and to take every action it can possibly take, to bring about more efficient and more intelligent appropriations and expenditures of public revenues.

Mr. President, as a Member of the Senate, I am deeply concerned about the breakdown of legislative procedures in the processing of appropriation bills through the Congress. As we all know, the fiscal program has been rapidly deteriorating since the annual Federal budgets have reached such astronomical figures, and which approached a critical state, we recall, last year. It is incumbent upon the 88th Congress to take appropriate steps early in the present session to devise a solution to these problems.

I am persuaded that the bill, if enacted into law, and if the joint committee is created, will be conducive to better cooperation and a spirit of working together in harmony between the two powerful Appropriations Committee of Congress. If we can have them working together, each getting the same information, each having access to the tools with which to work, it will enable them to get better information with which to evaluate intelligently many requests. If we can get them to do that—and the bill, in my judgment will move in that direction—we will be going a long way toward removing a situation which today actually reflects to a degree, at least, upon the integrity of the two bodies, the House of Representatives and the Senate.

We are prone, and with justification many times, to criticize agencies of the executive branch of the Government for their inefficiency and lack of diligence in bringing about efficient operations of their responsibility.

Yet one of the most glaring evidences of lack of efficiency actually exists right here in Congress on this issue, in this particular category, when we have the House of Representatives taking a position that it does not need the help or cooperation of the Senate; and vice versa, with the Senate taking the position, "Well, we will hold separate hearings. We will do everything separately." The result is that there is an unnecessary clash.

Congress has wisely created a Joint Committee on Internal Revenue Taxation. That committee has been in operation a number of years. Just think of how much more smoothly and how much more efficiently and how much more cooperatively the two Houses work together in that field. It has been remarkable. They have some disagreements, of course, but they work together in that field harmoniously, cooperatively, with a view to eliminating a great deal of lost motion, with a view to getting some pertinent information and with a view of evaluating it, and with the objective of bringing about harmonious and efficient consideration of tax legislation.

Why should not the same thing be done with respect to expenditures? If the Joint Committee on Internal Revenue Taxation has proven its worth and has been of great benefit in the functioning of the two bodies of Congress—and no one will deny that fact—likewise it has demonstrated the wisdom of creating a comparable joint committee with respect to the budget for the evaluation and supervision of expenditures of the many billions of dollars that we are now asked to appropriate each year.

Although the Legislative Reorganization Act of 1946 made provision for the creation of a joint committee, composed of members of the appropriations and revenue committees, to expedite consideration of appropriation measures, the large membership proved to be far too cumbersome and the joint committee never provided the necessary facilities to carry out the functions it was supposed to perform.

The idea and the general approach to this matter was taken into account and actually given sanction and endorsement by the Legislative Reorganization Act of 1946. At that time we were spending about half or less than half of what we are spending now. However, a mistake was made in that act. The mistake was in making the committee so large. It was to be composed of the membership of the Ways and Means Committee of the House and the Finance Committee of the Senate and of both Appropriations Committees. Although I have not checked, the number of the members would have run more than 100, thereby composing a committee which would be too cumbersome for it to function properly. Therefore, it did not prove successful; in fact, it has never been put into effect.

Since these attempts in the 80th Congress to set up the necessary organizational structure to process appropriation bills in an orderly and expeditious manner and to bring expenditures into proper relationship to revenues proved abortive the problem still remains to be resolved.

No final constructive action has been taken since.

This situation still plagues us. However, I believe it should be said to the credit of Congress that during the past 2 fiscal years Congress was able to reduce expenditures; that is, Congress appropriated for the past 2 fiscal years approximately $8 billion less than the budget requested. Congress is entitled to credit for that fact. I have said publicly that that is not enough, that we still need to find ways in which we can do better. Our proposal today is an approach toward one of the ways in which we can do better.

Appropriations bills introduced in the 87th Congress, providing funds for many of the operating agencies, were not, in some instances, approved by the Congress until approximately 4 months after the beginning of the 1963 fiscal year.

With that sort of efficiency, or rather lack of efficiency, on the part of Congress, that sort of inefficiency in the legislative branch of the Government, when it could, if it would, correct that situation, it hardly behooves us as Members of Congress, particularly those who do nothing about this problem, or who seek to do nothing about it, to criticize the executive branch. In other words, it seems to me we act with poor grace when we criticize the executive branch of the Government, or agencies in the executive branch of the Government, for inefficiency or wasteful practices and a lack of economy.

I think Congress ought to set its own house in order. I think the time is long overdue for us to do so. Certainly if we were to take this situation in hand, and thus bring about a better working together, cooperation, efficiency, and some economy in the making of appropriations, we would then be in a better position to speak, and we could speak, I think, with a little more influence when we undertook to criticize agencies in the executive branch of the Government, or when we complained about their inefficiency or lack of economy. Yes; we could do so with better grace and with more influence if we would set our own house in order.

Some of the administrative agencies were without funds with which to carry on their normal operations during much of the 4 months last year when Congress delayed making appropriations after the previous fiscal year had expired and the new fiscal year had begun. The fiscal procedures of the last Congress reached such an exasperating state of disorder that I think it is now quite urgent that the present Congress take further and immediate steps to correct effectively its own fiscal procedures. The lack of action for so long a period last year was exasperating and detracted from the stature of Congress.

Such legislative deficiency should not be permitted to continue. It does not reflect credit upon nor will it enhance the stature of either the House or the Senate. The longer it is permitted to continue, the greater will be the adverse effect upon and detriment to the public interest.

(At this point Mr. McCLELLAN yielded to other Senators, whose remarks appear elsewhere under the appropriate headings.)

Mr. McCLELLAN. Mr. President, I assume that I may resume my remarks now under the same unanimous-consent agreement previously entered.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. I have always thought, Mr. President, that the two Appropriations Committees could and should work together more closely and cooperatively, and thus insure expeditious consideration of money bills and demonstrate by example the real meaning of economy and efficiency in Government.

The Committee on Government Operations has been fully aware of the deficiencies in the fiscal procedures of the Congress. For more than 12 years it has proposed remedial action pursuant to the authority vested in it to consider and recommend legislation relating to budget and accounting measures other than appropriations. It has, pursuant to this directive, submitted and recommended action on legislation with the objective of solving some of the fiscal problems with which the Congress is now confronted. During this period, the Senate has taken the lead in evolving a solution to these problems through the approach of constructive and appropriate legislation in a sincere effort to bring that about. The record will affirmatively and conclusively support the position taken repeatedly by the Senate since early in 1950 in attempting to remedy this situation.

If the Senate recommendations for constructive action had been taken, if they had been acquiesced in and acted upon and approved and the legislation recommended had been passed, instead of the 87th Congress being forced into a tug of war—and not a very pleasant one, I may say—over procedures and bogged down in a quagmire of fiscal irresponsibility, the Committees on Appropriations could have worked together harmoniously.

Because we did not have this legislation, discord arose, and we have been drifting further and further apart all the time. Instead of being cooperative, they have been going in divergent directions. The committees have moved further apart rather than closer together. Certainly there is no more impelling duty, in the sense of public responsibility, upon one than there is on the other. The only difference in their authority and jurisdiction is that under the Constitution appropriation bills must originate in the House of Representatives, according to some interpretations which have been placed on the clause in the Constitution with respect to revenue measures. Without arguing that point and without debating it—and that makes little difference for this purpose—the ultimate goal and the ultimate responsibility of Congress and of the Appropriations Committees should be to appropriate that which is adequate and necessary, and under conditions which prevail today, it means that which is absolutely necessary in my judgment for the proper operation of the functions of the Government.

Any waste, any extravagance, any unnecessary expenditure today, is doing something of which I think we of this generation, we of this Congress, we who now have the responsibility, cannot be proud. Mr. President, do you know what this Government is doing? Do you know what Congress is doing? We are responsible for it. I say that Congress is more responsible than the President. The President can recommend laws and request appropriations. But the Government cannot spend any money unless Congress appropriates it. I say the greater responsibility, possibly, rests upon Congress.

But what are we doing today? We are refusing to pay our bills. We are going into debt. We are refusing to live within our income. It is said that we have some extraordinary expenses. Certainly we have. We have the extraordinary expenses of defense—of a defense adequate to meet the world crisis and the world dangers of our time. But the fact that we have that burden makes it more necessary that we be careful about incurring new obligations and more obligations each year. We are not paying for all of them. What are we doing? We are encumbering the heritage of our children, if they are young children, and of our grandchildren.

What are we saying? We are saying, "Oh, well, let us live it up and pass the expense on to our children and grandchildren." Do you think, Mr. President, that that is meeting the responsibility of our time? Do you think that that conforms to the statement in the President's inaugural address 2 years ago, when he said:

> Ask not what your country can do for you: Ask what you can do for your country.

Are we doing that? No. What we are saying today is: We are going to have it if we want it. If we need it, we are going to have it whether we can afford it or not, whether we are willing to pay for it or not.

The fact is that these young boys, these pages, who are seated before me this afternoon, will reap the heritage of a burden which we are placing upon them because we of this generation, of this hour, do not have the fortitude and courage to make the sacrifices which are necessary to operate this Government on a balanced budget and free of a cumulating debt.

It is said that we have a managed currency, a managed debt, a managed deficit. Yes; we can manage a deficit as individuals. A deficit can be managed for a time, for a season. But a time will come, if we persist in it, when the debt will become unmanageable. I am most apprehensive that that is what we are doing to the next generation. We are passing on to them something that is growing, that is becoming less manageable all the time. The amount of the deficit for this year will be almost $9 billion. What are we creating? We are creating not only the debt itself; the very fact that we will go into debt $9 billion this year will create a recurring and continuing obligation of $300 million for interest each year. Are we great statesmen of our time when we manage the

Government of the United States in such fashion? Will history so record us?

Mr. President, I am happy to yield to the distinguished Senator from North Carolina for a question, provided I do not lose the floor.

Mr. ERVIN. Mr. President, first I shall ask the Senator from Arkansas a question in lighter vein, before I ask him some serious questions. I should like to lay down a premise.

A few days ago, I read an article by a theoretical economist of modern vintage. He said that if the Government spends more than it receives in revenue, the Government has an active deficit which is likely to spur the economy into action. But if the Government receives in revenue less than it spends, the Government has passive deficit which indicates a sluggish condition of the economy.

I think it would require a person who can "unscrew the unscrutable" to explain the difference between spending more than one receives and receiving less than one spends. But if there is any Senator who can "unscrew the unscrutable," it is my good friend, the distinguished Senator from Arkansas [Mr. McCLELLAN]. I should like to ask him if he can explain to me the precise difference between spending more than one receives and receiving less than one spends.

Mr. McCLELLAN. I cannot "unscrew the unscrutable." I am reminded by this process of reasoning of an explanation given by the great Huey Long, in his day and in his time, when he told about a patent medicine salesman who came through the countryside. The salesman had two remedies which would cure anything. What one would not cure, the other would.

One remedy was named High Cockalorum; the other was called Low Cockahirum. There was only one difference between them. Both were brewed from the same bark, and from the same tree. The difference was that to make High Cockalorum, the bark was skinned from the top down. To make Low Cockahirum, the bark was skinned from the bottom up.

So the proposition stated by the Senator from North Carolina makes just about as much sense. That kind of medicine has just about as much virtue in its qualities or difference in its qualities as the remedies brewed from the bark having been peeled from the bottom up or the bark having been peeled from the top down.

Mr. ERVIN. If I may tell a story as a basis for a question, down in North Carolina there was a fellow named George. George said to his friend Bill, "My wife is the most extravagant woman. She always wants 50 cents for this, 50 cents for that, and 50 cents for the other thing."

Bill said, "What does she do with all that money?"

George said, "She don't get it."

Does not the Senator from Arkansas believe that we need somebody like George to have a little authority to handle some of the requests which Congress receives—from one agency of the Federal Government for so many hundreds of millions or billions of dollars, and from another agency for so many hundreds of millions or billions of dollars—so that he can say, "No"?

Mr. McCLELLAN. If we would grant only what is actually needed for the efficient operation of the Government, I do not think anyone would question that more billions of dollars could be saved than we have been saving. At least, we could come nearer to a balancing of the budget. But our trouble is—and this is what the bill seeks to remedy—that we do not have the necessary tools available to us with which to get the adequate information upon which Congress can make a proper evaluation of the needs of the agencies.

That is what this bill will do. It will provide us with the tools with which to obtain that information, so we can determine what is actually needed, and can determine what parts of the request can be dispensed with, and thus can come nearer to operating with economy and efficiency.

Mr. ERVIN. I should like to ask the Senator from Arkansas if it is true that the most important question confronting the country is the question of Government finances. That is true; is it not?

Mr. McCLELLAN. Yes. Just this week, I addressed an audience in South Carolina and pointed out that the greatest task confronting this Congress is, not the task of reducing taxes, but—and it is the first and the greatest task, and is the higher duty of the Congress—the task of reducing expenditures, so that the revenues received either from the present rate of taxes or from a reduced rate of taxes will narrow the present gap between revenues and expenditures, and thus will result in a smaller deficit. So in my opinion the higher duty of Congress is to do that, rather than merely to reduce taxes.

Mr. ERVIN. Is it not true that Congress has created a joint committee to study the problem of how best to raise revenue, and that the joint committee keeps that matter under constant study, with the aid of an able and experienced staff, so that any Member of either House of Congress who is interested in such matters can call on it for help and information?

Mr. McCLELLAN. That is correct. Earlier in my remarks I made reference to that. By reason of that joint committee, as it is constituted, more harmony has been developed in the relationships between the Ways and Means Committee of the House—the tax committee of the House—and the Senate Finance Committee; and, thus, today those committees are not having the tug of war or the friction—a situation which reflects upon the Congress—which occurred between the Appropriations Committees of the Congress. Instead, these committees are acting effectively.

Mr. ERVIN. This bill, which is cosponsored by some 70 Members of the Senate——

Mr. McCLELLAN. In fact, the bill is sponsored by 76 Senators—more than three-fourths of the Members of this body.

Mr. ERVIN. It is designed to set up a comparable joint committee, which will study budgetary questions—in other words, questions relating to expenditures or the outgo of the Federal funds. If the proposed joint committee is established, there will then be one joint committee to study revenue questions and another joint committee to ascertain the facts in connection with expenditures and proposed expenditures; is that correct?

Mr. McCLELLAN. Yes. We already have one joint committee to help us with questions in regard to the raising of funds in the most efficient, most effective, fairest, and most equitable ways. Now we are asking for the establishment of a comparable joint committee, to help us conserve the revenues after they come into the Treasury and to help us avoid spending those funds uselessly, wastefully, extravagantly, or inefficiently.

Mr. ERVIN. Is not the Senator from Arkansas convinced that such a joint committee would save the Government many times the cost of setting up the committee and compensating its personnel, in the course of each year?

Mr. McCLELLAN. Yes. I may say that I have had a little experience with the operation of committees with investigative authority; and my distinguished friend, the Senator from North Carolina, has had comparable experience. He serves with me on one of these committees, which has at its disposal approximately $400,000 or $500,000 a year, for the purpose of investigating certain activities related to the Government. I would say, just roughly, at this time, that a committee to do this work possibly would begin with a budget of approximately $300,000 or $400,000. Its budget might very well run to $500,000, or even to $600,000, as the committee got organized and began to function. But I would say there would be a good prospect that the committee would develop information which would guide the Appropriations Committees in such a way that they could avoid making appropriations in many areas, and the result would be a saving of probably anywhere from $100 to $500 for every dollar it cost to operate the joint committee; and I think I make an ultraconservative statement when I say that.

Mr. ERVIN. Mr. President, for some time the Senator from Arkansas has been fighting for the establishment of a Joint Committee on the Budget, and on a number of occasions he has piloted the bill successfully through the Senate. I share his opinion that in view of the fact that Congress has been requested to make provisions for a budget of practically $99 billion, the appointment of such a joint committee has never before been so greatly justified as it is today. At the present time there is no source to which the Members of Congress can turn for disinterested information on this subject, in view of the fact that at present our only source is the budget, rather than a committee which has great concern with protecting the interests of the taxpayers.

So I think the Senator from Arkansas deserves our commendation for the untiring fight he has made in favor of the proposal set forth in this bill.

Mr. McCLELLAN. I thank the distinguished Senator from North Carolina, who has wholeheartedly supported this proposal from its inception. Each time, he has joined me in sponsoring the bill. I am sure that by reason of his experience on the permanent Subcommittee on Investigations, of the Senate Committee on Government Operations, where we have worked cooperatively and, I think, effectively, in many respects, he knows and can testify to the merits of this proposal and the very beneficial results which will be achieved by the enactment of this measure into law and by the operations of such a joint committee to provide this service. The Appropriations Committees and the Congress itself need this service, in order to be able to do their duty and to operate properly in this field.

Mr. President, if this proposal had been enacted into law when it was made at prior sessions of Congress, the Appropriations Committees and all the Members of Congress would have been equipped with adequate organization and staff, and with the necessary tools that are essential to the efficient consideration of and for expeditious action on appropriations covering the annual expenditures of the Government. Prompt and efficient action through these mediums would have resulted in very substantial savings and economy in governmental operations.

As far back as the 81st Congress, I introduced a bill, along with many cosponsors, proposing the creation of a Joint Committee on the Budget, to act as a service committee to the two Appropriations Committees. Such a joint committee would have been provided with an adequate staff of trained fiscal experts to serve the Committees on Appropriations and the Members of both the House and Senate. This joint committee and its staff would be, in the appropriation field, comparable to what the Joint Committee on Internal Revenue Taxation and its staff are, in the field of taxation, to the House Committee on Ways and Means and the Senate Committee on Finance. The Joint Committee on Internal Revenue Taxation has, for more than a quarter of a century, proved its great worth and service in the revenue field. A like joint committee and service is sorely needed in the field of Federal expenditures.

As perfected by the Committee on Government Operations, this bill is not the result of consideration in only one session of Congress, but reflects the culmination of more than 13 years of study by that committee. As a result of hearings which have been held in previous Congresses, careful consideration has been given to the views of Members of Congress, the public, and others interested in improving fiscal control over congressional appropriations.

This bill proposes to amend the Legislative Reorganization Act of 1946. The joint committee would be composed of seven members of the House Committee on Appropriations and seven members of the Senate Committee on Appropriations, and would be authorized to elect, from among its members, a chairman and vice chairman, at the first regular meeting of each session. It proposes also that in even-numbered years the chairman would be designated from among members of the House Committee on Appropriations, and the vice chairman from among members of the Senate committee. In odd-numbered years the reverse would be done. The joint committee would be authorized to adopt its own rules, except that provision is made that no measure or recommendation should be reported unless approved by a majority of the committee.

Unfortunately, members of the Appropriations Committees are so heavily burdened by other legislative duties and responsibilities that they are unable personally to give the necessary attention to each budget item. Equally important, however, is the fact that they do not have adequate facilities for obtaining the information necessary to enable them to pass accurate judgment on the necessity for the budget requests. Thus, for the most part, they are forced to rely upon the representations made by the respective initiating agencies of the executive branch, whose representatives appear before these committees, in an ex parte type of proceeding for the sole purpose of justifying their requests for funds. As a result, the Congress is often unable to obtain impartial information and facts to enable it to effect needed economies in the operations of the Government. Because the Congress is not adequately equipped to carry out its fiscal responsibilities, many millions of dollars have been appropriated in excess of the actual requirements of the Federal Government. These excesses have, in turn, added to the large recurring deficits which must be passed on to already overburdened taxpayers.

The ever-increasing cost of operating the Federal Government, with annual cash budgets now exceeding $100 billion—an increase of $56 billion over total budget expenditures for fiscal year 1951, when this committee first recommended this legislation—and continued annual deficits of billions of dollars that pyramid the already astronomical national debt, dictates the compelling necessity of reducing the cost of government, where it is prudent to do so, in order to restore sound fiscal policies.

Important as are the services rendered by the Joint Committee on Internal Revenue Taxation in the revenue field, the proposed Joint Committee on the Budget would be in a position to render far greater service to the Congress in a field that is much broader in nature and scope. Its functions would include analyses and reports on the details of program operations, a review of the actual administration of authorized functions, and the compilation of data on agency activities and program conformity with legislative authority, for the information of the Appropriations Committees and other committees, and to make such data available to individual Members of the Congress. With this information before them, the Appropriations Committees will be in a position to exercise informed judgment in supplying only such funds as are necessary. The importance of providing this type of service for the committees dealing with the appropriation of public funds is emphasized by the scope of the problems involved and the magnitude of Federal appropriations and expenditures.

Failure to provide adequate facilities for the procurement of factual information that is needed and indispensable to enable the Congress and its committees to make sound and judicious determinations with respect to appropriations requested in the budget, has resulted in a demand on the part of the public for remedial action. The Committee on Government Operations in its reports to the Senate has repeatedly stressed the belief that a Joint Committee on the Budget would meet and would satisfy that demand, and that it would provide to the Congress essential services similar to those performed for the President by the Bureau of the Budget.

A complete legislative history of the proposed legislation is included in Senate Document No. 11, 87th Congress, on "Financial Management in the Federal Government," filed in the Senate by the Committee on Government Operations on February 13, 1961.

To Members of the House of Representatives who seek to maintain the coequal status of the two Houses of Congress, I give assurance that this measure in no way impinges on that basic constitutional concept.

To Members of the House who carry the workload in other areas of legislative interest and must necessarily rely heavily on the judgment of their colleagues on the Appropriation Committee, I give assurance that this measure will provide a means of obtaining more information by individual Members of Congress. It will permit them to arrive at more informed judgments, and will thus bring about economy in Government, through better control over the expenditure of Federal funds.

To those who decry the increasing burden of legislative office, I give assurance that this measure is designed to lighten that load and, at the same time, improve the appropriation procedures of the Congress.

To Members who are seeking better tools and procedures with which to meet legislative burdens, I give assurance that this measure was conceived for that purpose.

To those who are really concerned with the staggering fiscal responsibilities of the Congress, I give assurance that the creation of a Joint Committee on the Budget would at least be a partial solution toward alleviating that concern.

Finally, I urge to Members of the Senate who have cooperated with me in supporting this proposal in the past six Congresses, to join with me again in this effort to revitalize the legislative fiscal process. I hope they will join with me in again passing a bill to create a Joint Committee on the Budget, and in sounding the call to our colleagues in the House of Representatives to examine the "imaginary horribles" leading to the present impasse. Then we can hope they will join us in our conviction that such fears

have no substance, and that they can be struck down by adopting the realistic procedures provided for in the bill to create a Joint Committee on the Budget.

Mr. President, editorials published in the Washington Post of August 24, September 3, and October 12, 1962, have stressed the need for a Joint Committee on the Budget. These editorials are in agreement with the findings of the Committee on Government Operations that the creation of such a joint committee, which would serve both Houses, could better equip all the Members to carry out the job that lies at the heart of the legislative function. Such a joint committee could also lead to other more effective controls over Federal expenditures, and could provide an efficient means of critically judging an executive budget that gets larger every year.

Mr. President, I ask that the editorials be printed in the RECORD, as part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 24, 1962]

MODERNIZING CONGRESS—V

Sixteen years have passed since the enactment of the La Follette-Monroney Legislative Reorganization Act, and the time has come again for a concerted attempt to pare away the lichen and moss that have gathered on the procedures of Congress. A good example is the appropriations process, which is so cumbersome that Congress is unable to perform efficiently its vital functions as keeper of the purse. Certainly this is a problem that warrants the sharpest scrutiny with an eye to reform.

Five times in the past the Senate has endorsed proposals for joint budgeting procedures, and five times the House has rejected the idea as an affront to its dignity since the Constitution specifies that money bills must originate in the more representative Chamber. As a result, each Chamber goes through the same rituals without benefiting from the advantages that would arise from a sensible pooling of resources.

It is perhaps unrealistic to expect Congress to hold joint appropriations hearings. It would be equally vain to hope for the elimination of the duplication process whereby money is first authorized and then appropriated, requiring administration witnesses to appear at four sets of hearings. The process touches deep springs of tradition, constitutional law and bicameral feeling, and a simplification of the overall procedure must probably remain an ultimate goal rather than an immediate objective.

But surely, even within the limitations of the present system, Congress could deploy its resources more effectively by combining committee staffs. Congress now has a dozen joint committees, including two of major importance: the Joint Committee on Atomic Energy and the Joint Committee on Internal Revenue Taxation. Since the House has been willing to accept the principle of pooling for taxation, is it unreasonable to propose the same treatment for appropriations?

As it stands, the staff of both appropriation committees is inadequate to the task that should be performed on analyzing a budget of appalling complexity. The creation of a joint committee that would serve both Houses could better equip all the Members to carry out the job that lies at the heart of the legislative function. It could also lead to other more efficient ways of critically judging an executive budget that gets larger every year.

[From the Washington Post, Sept. 3, 1962]

LIMPING AGENCIES

Congress has left itself in a very poor position to criticize bureaucratic inefficiency. Its own bumbling in regard to the appropriations bills has imposed a specialized kind of faltering on the Government. Jerry Kluttz of this newspaper pointed out in detail the other day the grave handicap that has fallen on many Federal departments and agencies because of the failure of Congress to approve 1963 budgets. Two months have passed since the closing of the old fiscal year, and many agencies are still operating on merely continuing authority—that is the authority to go on spending as they did last year. Obviously this makes no provision for new programs or changes in old ones. The Government is partly crippled for want of appropriations made before the year in which they are to be spent.

The situation is worse this year than previously because of the intemperate feud between the House and Senate Appropriations Committees. But it is a chronic weakness that Congress has done little to correct. It is time to attack the problem on Capitol Hill where the weakness lies. If there were a Joint Committee on the Budget comparable to the Joint Committee on Internal Revenue Taxation much of the appropriations spadework could be done by expert staff members and the process could be substantially speeded. In any event, Congress ought to be laying plans for a different approach next year. The Nation simply cannot afford to have its executive agencies limping along through one-sixth to one-quarter of the year because of the failure of Congress to give them a meaningful budget.

[From the Washington Post, Oct. 12, 1962]

FEUD ON THE HILL

The country has reason for concern about the House-Senate feud over appropriations procedures despite the last-minute compromise on the multibillion-dollar farm bill. The fight over the farm bill, which has delayed adjournment and raised the question of whether quorums of Senators and Representatives could be kept in Washington, is merely one phase of a much broader feud between the House and Senate Committees on Appropriations. The struggle is likely to break out in even more flagrant fashion next year unless remedial measures are undertaken.

As leading Senators see it, the issue is whether the House will recognize the Senate as a coordinate branch of Congress so far as appropriations are concerned. As the House sees it, the question is whether the Senate shall be allowed to encroach upon the constitutional right of the House to originate appropriations bills. Doubtless both are partly at fault. The restoration of good working relations will depend upon a willingness on each side to respect the rights of the other, and this is likely to require the laying down of some definite rules to which both will adhere.

We have previously expressed the view that the Senate was unwise in challenging the right of the House to originate appropriations bills. It is true that the special privilege granted to the House by the Constitution runs only to revenue bills, but spending and taxing were authorized in the same bills in the early days, and in any event the tradition that appropriations bills start in the House could not be broken without a grave upset in the relations between the two Houses. In our opinion, the Senate ought to stop talking about equal rights to introduce appropriations bills.

The larger fault, however, seems to lie on the House side. In some instances its spokesmen have arrogantly resisted the right of the Senate to amend appropriations bills once they have been passed by the House. The quarrel over the agricultural bill centered in the House's unwillingness to talk about an item of $28 million which the Senate had added for farm research projects. Of course, the House has no obligation to accept Senate amendments, but it does have an obligation to consider them in good faith and to seek agreement through compromise when necessary. It is utterly unreasonable for the House conferees to refuse to discuss Senate amendments, which are germane to the bill, on the ground that they did not originate in the House.

Well, here are two ground rules that could start the ball rolling toward agreement between the two committees. Let the Senate recognize the right of the House to originate money bills and the House recognize the unlimited right of the Senate to pass germane amendments. Another major aid to understanding would be to create a standing joint committee staffed by experts to serve both groups of legislators.

No doubt the first step should be the creation of a special House-Senate subcommittee representing top leadership on both sides to work out a new understanding. Otherwise the next Congress will be in grave danger of bedevilment even worse than that which has afflicted the expiring session.

Mr. MCCLELLAN. Mr. President, I request that an editorial which appeared in the New Orleans Times-Picayune on October 22, 1962, also be included in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WAY TO STOP WASTE—SOLON SAYS CONGRESS NEEDS OWN BUDGET UNIT

(By James McCarthney)

WASHINGTON.—Senator JOHN MCCLELLAN, Democrat, of Arkansas, the top investigator in Congress, believes he knows how to save many billions of dollars for the Nation's taxpayers.

He believes Congress should have a staff of experts to spend full time studying the Federal budget and making spot checks on budgetary requests by the administration.

The result, MCCLELLAN believes, would be to cut billions in "fat" from the budget.

"There have been billions of dollars of waste, extravagance, and unnecessary spending in areas which show no gains or benefits to the Nation," he says.

MCCLELLAN has spent much of his time in recent years investigating Government waste and mismanagement as chairman of the Senate's Permanent Investigations Subcommittee, better known as the Rackets Committee.

But he doesn't think the Rackets Committee has the powers or the staff to do a thorough job on matters involving the budget.

He proposes a new Joint Committee on the Budget, representing both the Senate and the House.

It should have "facilities and a technical staff to do the kind of job necessary to prevent and eliminate some of the practices that have led to crimes against the national interest," MCCLELLAN says.

"The committee and its professional staff would be continually studying the President's budget and the many appropriations bills that come before the Congress, with a view to eliminating waste and duplication and other improper expenditures."

Senator MCCLELLAN points out that when administration officials request specific sums of money or numbers of employees for a department, Congress has no way to judge what is really needed.

"When they say they need 25 employees, who is there to say they don't need 25 employees?" he asks.

His special budgetary committee would be staffed with accountants and investigators to help Congress come to judgments of its own.

The Senate has passed bills proposing establishing of a Joint Committee on the Budget several times in recent years, but the project has always been killed in the House.

McCLELLAN currently is attempting to revive interest in the proposal.

Mr. McCLELLAN. Mr. President, I also request that excerpts from an article regarding this proposed legislation, which was printed in the November 1962 issue of the Nation's Business, be inserted in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The prolonged feud in the past session between the Senate and House Appropriations Committees lends added weight to a proposal which would bolster the strength of Congress in its fiscal dealings with the executive branch.

The Senate has passed six times a bill by Senator McCLELLAN which would establish a Joint Senate-House Committee on the Budget. Opposition by members of the House Appropriations Committee, who jealously guard the House's prerogatives in initiating money bills, has prevented consideration by the House.

Such a committee is "absolutely imperative with the big government we have now," Senator McCLELLAN says.

"The Congress has for many years labored under a tremendous disadvantage in connection with processing budget requests and making appropriations," he adds.

"Budget requests are usually accompanied by elaborate justifications, based upon extensive agency programs and backed up by a mass of statistical data and testimony of technical experts who have devoted many years in the specialized fields in which they operate. Their main objective is to continue and frequently to expand existing programs, which they undoubtedly feel are in the public interest, also, to secure appropriations for new agencies, programs, and functions.

"Testimony from the public, except from witnesses appearing in behalf of public works projects, is rarely received. In a vast majority of instances, the only manner in which the public interest can be considered and protected, with respect to the purpose for which the funds are sought, their need and adequacy, is through careful scrutiny of requests and justifications by members of the Appropriations Committees. It is impossible for their relatively small staffs to examine and evaluate the annual budget with its thousands of items, running to approximately 1,200 pages of telephone book size each year, within the very limited time available."

One of the important features of the proposed Joint Committee would be the establishment of a permanent, full-time, nonpolitical staff of experts which would help balance the huge crops of experts in the Bureau of the Budget and the executive departments.

At present Congress handles its appropriations in piecemeal fashion, with little knowledge of how the total will add up or what will be the long-range financial impact of Federal programs.

The proposed Joint Committee would investigate all aspects of the Federal budget. The information which it developed would be helpful to the Appropriations Committees and other committees in eliminating wasteful practices, recommending cutbacks in programs where possible, and developing a carefully considered fiscal program aimed at holding expenditures to a minimum in relation to anticipated revenues.

Senator McCLELLAN terms it "a positive approach to the elimination of extravagance, waste, and needless or excessive appropriations."

Mr. McCLELLAN. Mr. President, I conclude by expressing the hope that the other body will immediately give consideration to a similar bill, if one is introduced there; and I anticipate that that will occur.

I am hopeful that wisdom and prudence will prevail, that such influence will dominate the decision of this body and also the other body of the Congress as it considers the proposal, and that when it does prevail, the bill will be enacted into law. In my judgment, it is a great step in the direction of bringing about some restoration of sanity in the fiscal affairs of our Government. Every citizen of our country knows that some reformation in the field is needed. It is needed now, and that need is growing with every passing hour and with every budget message that comes to this body. It cannot be delayed much longer if we are going to bring under control and proper management the spending of the taxpayers' money of our country.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

During the delivery of Mr. McCLELLAN'S speech,

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield to the distinguished Senator from California if I may do so without losing the floor. I yield to him for a question or for any other purpose, without losing the floor.

Mr. ENGLE. Mr. President, I ask unanimous consent that the distinguished Senator from Arkansas be permitted to yield to me for the purpose of making a brief statement, without his losing the floor, and with the further understanding that my statement will appear after the remarks which are the subject of his present comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENGLE. Mr. President, the discussion we have been engaged in for a number of days has generated a great deal of interest around Washington. Whether it has also generated a clear comprehension of what is involved here is another matter.

For those who understandably are bewildered by all the parliamentary pyrotechnics, I would like to call attention to the remarks on the Senate floor on January 21 by the Senator from Minnesota [Mr. HUMPHREY]. They contain an articulate explanation of what the excitement is all about, and I believe the following excerpts from those remarks are well worth repeating:

We believe that the right of the Senate today is the same as the right of the first Senate of the Congress of the United States, and that the first Senate adopted its rules by majority votes. It did not permit one-third of the Senators present and voting, plus one, to negate or paralyze the action of a majority of the Senators. The fundamental issue before the Senate is a constitutional one, namely, Does the membership of the Senate of the 88th Congress have power, undiluted by actions of the previous Senates, to determine the rules under which it will operate?

The Senate of the 87th Congress had rules under which it operated. Those rules are carried over either by acquiescence or by overt acceptance. Those rules may be modified as they are adopted, namely, by majority vote; and this has been stated by none other than the chief contender on the opposite side of this issue. For example, I quote from the RECORD of January 14, 1963, the statement by the distinguished Senator from Georgia [Mr. RUSSELL]:

"Mr. President, there is no question that a majority of the Senate can change the rules of the Senate; none of us contends otherwise. We are merely contending that the rules can be changed only in the manner prescribed in the rules."

It is that latter phrase with which we disagree, because we say that the rules can be changed by a majority vote at the inception or at the beginning of a new Senate, if the Senate so wills it. But we also maintain the Senate has a right to reach the parliamentary situation where a majority can decide. If the Senate accepts the rules of a previous Congress, that is an overt act by itself, even if it comes through acquiescence.

The changing of the rules in the manner prescribed in the rules is the point where the will of a majority of the Members of the Senate is frustrated. Since under the rules adopted in previous Senates a majority must surmount the hurdle, the stopping or closing of debate, by first obtaining the vote of two-thirds of the membership under rule XXII, it is easy to see that the statement that the rules can be changed by majority vote, as was said by the distinguished Senator from Georgia, is not an accurate statement in fact, if a majority can never have an opportunity to vote because of Senate rules adopted by another majority of Senators in another Congress. We claim a constitutional right to put the question to a majority of Senators in the 88th Congress.

It is an absurdity to argue that rules adopted years or even generations ago can bind new Senators who are elected to particular programs which the old rules make impossible.

In 1917, when Senator Tom Walsh, of Montana, challenged the binding effect of the rules of the earlier Senate upon the new body, he had this to say:

A majority may adopt the rules in the first place. It is preposterous to assert that they deny to future majorities the right to change them.

It is this constitutional right that is the heart of the discussion here today—and around that issue revolves the motion offered by the Senator from New Mexico [Mr. ANDERSON] to take up and consider his Senate Resolution 9, which calls for a revision of Senate rule XXII.

It is the contention of those of us who support this motion that when a new Congress convenes, a majority of the Members of the Senate has the right under the Constitution to close debate for the purpose of adopting new rules. Only at the start of a new Congress can we proceed under general principles of parliamentary law and adopt by majority vote any rules of procedure we deem proper.

We are, in short, trying to exercise the constitutional right of the majority of the membership of the Senate, after reasonable discussion, to adopt its rules unfettered by rules molded in previous Congresses.

We are seeking the opportunity to vote on the pending motion so that we can proceed to go into the substantive question of what rules shall govern the closing of debate in the Senate of the 88th Congress.

I have joined the Senator from Minnesota [Mr. HUMPHREY] and a number of other Senators in Senate Resolution 10, which would amend rule XXII to permit the closing of debate by a constitutional majority of Senators after reasonable time has been allowed for a full and free discussion of the issue.

This is the fifth attempt in the past decade to strengthen our antifilibuster rule. In 1959 we succeeded in making a minor change in the rule when it was amended to permit cloture by a two-thirds of the Senators present and voting—replacing the requirement of two-thirds of the whole Senate.

The failure of the present Senate rules to permit a majority decision on rules themselves, and on civil rights legislation, should serve as a clear and unmistakable warning that reform is urgent in the Senate if it is to be a truly responsible and representative body.

The authors of our Constitution made it clear that Congress shall operate by majority rule unless otherwise instructed by the terms of the Constitution. It clearly spelled out the areas of exception where a two-thirds majority of the Members of Congress shall be required—namely, in the ratification of treaties, in the power to override a Presidential veto, in the impeachment power, in the expulsion of Members of Congress, and in the initiation of amendments to the Constitution.

If the majority of the Senate is not allowed to act, we cannot hope to make any significant advance in the protection of civil rights for all citizens. If our antifilibuster rule is not strong and effective, we cannot hope to enact strong and effective civil rights legislation.

The opposition may remind me that in 1957 and again in 1960 Congress did in fact pass civil rights bills. And I will remind the opposition of the watered-down condition of those bills as they finally got on our statute books, and that it was the ominous threat of the filibuster that was responsible for this.

The history of the Senate has made it abundantly clear that we cannot get a two-thirds cloture on a civil rights bill of any importance. The history of the Senate has made it abundantly clear that a two-thirds cloture simply cannot be obtained in those areas where cloture is needed. In all of the 11 cases of attempted cloture on a civil rights bill in the Senate, it has never been possible to secure two-thirds vote of those present—although in several cases a heavy majority wanted to proceed to a vote.

As we all know, our present rule XXII has been most often directed against legislation to assure civil rights for all citizens. We also know that it has been used as the threat under which other important legislation has been compromised to meet the views of the minority.

It is a dubious argument to defend the filibuster on the ground that it protects the minority—when its principal use, actual or potential, is to deny fundamental democratic rights to certain minorities. I do not need to remind my colleagues that most of the really undemocratic conditions in our country today exist because of the threat or use of the filibuster.

It is undemocratic and unfair to retain a rule which allows a relentless minority to frustrate the efforts of an elected majority.

I urge the adoption of Senate Resolution 10. It will put an end to filibusters by which bills can be talked to death. But it will not put an end to full and free discussion and a thorough exploration of the issue.

The objective of the Humphrey resolution—Senate Resolution 10—is simply to permit democracy to work through majority rule. Its objective is simply to prevent a minority from blocking measures desired by the majority. Minorities are entitled to a voice, but they are not entitled to rule unless they can convert the majority to their point of view.

It is time for the Senate of the United States to get control over itself, and the way to do it is to establish majority rule in its proceedings.

THE DOCKWORKERS STRIKE

During the delivery of Mr. MCCLELLAN'S speech,

Mr. MCCLELLAN. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Oregon without losing my right to the floor. I understand that he wishes to make a statement for the RECORD. If I may retain the floor, with the understanding that his remarks may follow my remarks in the RECORD, I am happy to yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I express deep appreciation to the Senator from Arkansas, who always cooperates with me in such matters as this, as do I with the Senator from Arkansas.

I wish to make a brief progress report—I hope we may call it progress—in connection with the return to work on the docks of America encompassed in the east coast, Southern States, and gulf longshoremen's strike.

There is no question that in the ports in which a vote has been held by the workers, the vote has been overwhelmingly in support of the return-to-work program under the proposed settlement offered to both parties by the President's Special Mediation Board. However, the ships are not yet moving, and the controlling reason for their not moving rests upon the shoulders of the union leaders in a few locals in the Central, Southern, and Gulf States.

It is not for me, certainly at this time, to do more than to call the attention of the parties to the dispute to this fact, and to call the attention of the American people to it, as my Board has already called it to the attention of the administration. I can well understand how in a dispute such as this, local difficulties between port employers and the local union in a local port, such as Galveston, or Mobile, or Miami, or Baltimore, might enlarge themselves in proportion of importance to the people on the local scene so that they come to believe that a solution of that local's concerns to its complete satisfaction is the all-important thing.

But throughout the work of my Board on this case, we have said to the parties, over and over again, that in an hour of great crisis—and this is an hour of great crisis—the authorized officials negotiating for the employers and for the unions have the duty of being responsive to responsibility.

By and large, my Board has received magnificent cooperation from employer and union representatives in respect to the fulfillment of their obligations called for under that code of conduct.

But I regret to report to the country that at this moment there are some local union officials in some ports who have not raised their vision high enough to recognize fully the importance of their living up to that responsibility and obligation. To them, from the floor of the Senate today, I say that if they assume the responsibility of preventing a return to work, and thereby a scuttling of the very fair proposal for settlement that the President's Board has offered them they will, in my judgment, bring down on the heads of responsible union leaders in this country the blame for a failure to fulfill a great public trust that both employers and unions owe the American people at this time; although it would not be fair to put it on the heads of responsible union leaders, nevertheless it is a blame they will have to take.

The ports in which the difficulty exists at the present moment are mostly ports over which the Presidential Board had no jurisdiction, and, over which it does not now have jurisdiction. The jurisdiction of the President's Board was over the ports encompassed by the North Atlantic Pact of the longshore industry, stretching from the top of the New England States to Hampton Roads, Va. The latest report I have had indicates that within that jurisdiction there is an overwhelming vote for acceptance of the recommendations of the President's Board.

But in the southern ports and the gulf ports, where the workers are not parties to the negotiation, there are a few locals—principally in Mobile, Galveston, and Miami—which are willing to accept the recommendations of the President's Board, and have voted to accept them, but have attached conditions to their acceptance. Those conditions are that, in addition to the recommendations of the President's Board, the employers must negotiate with them agreements on certain local issues which have plagued those ports from the beginning of the strike.

Mr. President, I can understand why they wish to get those local issues settled. I can also understand why five local unions in Greater New York appeared last Sunday morning before the Presi-

dent's Board in a series of conferences, and sought to have us enter into, at the 11th hour, a modification of the proposal for the settlement which we were about to make to the parties.

I shall give an example of what I mean: One of those unions was the Checkers' Union, a very large union in New York Harbor. It falls under this so-called master contract, but it has always negotiated with the shipowners separate understandings in regard to problems of work and working conditions incident to the checker division of the industry. It had a series of proposals which it wished to make—for example, it believed that certain checking, which at present it claims is done by sea personnel rather than dock personnel, is really checker work, and should be assigned by the Board to the checkers. It had many other claims of that sort. There was a little bit of humor in connection with it, because in all those discussions the representatives of that union said, "These are noneconomic claims." Then Mr. Ted Kheel, one of my very able associates, said, "They are all noneconomic claims that money could settle." And so they were, for they did not make a single claim which, after all, if it had been considered and if such an adjustment had been made, would not have cost the shipowners a considerable amount of money in addition to the package settlement the Board was offering.

Likewise, the maintenance workers, who maintain all the machinery on the docks, had a series of claims. For example, they wanted to receive pay for a 15-minute cleanup period at the close of the day. Mr. President, no one should think for a moment that such an arrangement is uncommon in American industry, for there are many factories in which the workers are allowed 10 or 15 minutes, on pay, to wash up and clean up, so that when they leave the factory they will be presentable as they ride in the streetcars or subways or as they commingle again with the general public. The representatives of the maintenance workers wanted that issue negotiated by our Board.

Mr. President, one of the toughest little problems was whether they should have three uniforms supplied them each week or only two. It was pointed out that they work with acids and grease and dirt, and that at present they are allowed two clean uniforms, of the overall or coverall type. They wanted three. Thus I could go down the list.

The representatives of five of the local unions who met with us last Sunday morning said to us, "We have not had a minute of negotiation with the employers on this whole long list of claims; and we think we should have a settlement of these claims before you put in any final proposal."

I said to them, "You knew when we began that we had 4 days in which to work with the parties and 1 day in which to prepare our report to the President; and you are asking us to enter into a package which, as we count up its parts, would total over 60 issues of difference between the strikers in New York Harbor and the shipowners. We were very polite, but I said this to them—"just look at this from the standpoint of the Board. Do you know what your proposals amount to? They amount to a torpedo aimed at the very body of the unanimous settlement."

My Board was very frank to say to them, "All those proposals are out of the window and you will have to follow the practice that has been followed in the past in similar situations—namely, that if you have not negotiated a settlement up until the 11th hour in free collective bargaining, you should recognize that no board can do the job for you. Certainly if we were going to undertake a mediation of your differences with the employers, you are outlining here a 30-day job; and at the present time the strike is costing a minimum loss of $25 million a day. You should face up to the fact that the final arbiter of any labor dispute, if you push it into that court of settlement, is American public opinion; and we respectfully call your attention to the belief of this Board that you are now in the courtroom of American public opinion. This calls for an immediate settlement of this dispute, and the stoppage of this loss of $25 million a day, and a getting together with the employers, so that these ships will begin to move again as rapidly as possible."

Mr. President, I go into this detail because I want these local unions in the southern ports and the gulf ports to know that five local unions falling within the North Atlantic Pact agreement, and directly affected by the proposal the Board made, recognized that it was too late to settle a long list of grievances which they had with the employers. They have, with but few exceptions, gone along with the Board.

I wish very quickly to point out, in fairness to the employers, that we put the employers in the same position. They also had a long list of grievances that they would like to have had us, at the last minute, rule upon in respect to their complaints against the union. What the Board said in the North Atlantic Pact, what the strikers have been voting on during the last 2 days, and what the employers agreed to accept was that they would take the proposed settlement recommended by the President's Board and apply it to the old contract, and then renew it for another 2 years.

In the past, that is what the southern and gulf ports have done. Some agreements have been voluntarily entered into in the past between the employers and local unions. Down in Mobile I understand that the great bone of contention this afternoon is over what pay they shall receive, or whether they shall receive pay on rainy days. The men are called out to work. A storm breaks. They either cannot work for a few hours or they will not be able to work for the rest of the day. They are then sent home. I have been informed that the union is insisting on pay for rainy days.

In Galveston there is a controversy over gang size. In all the ports in the South and the gulf area there is a controversy over the wage differential. In the southern and gulf ports the longshoremen receive 6 cents an hour less. Under the proposal of the President's Board they would get the wage increase offered by the Board, but they would not get 6 cents on top of it.

The Board has no jurisdiction to deal with the wage differential in the South and the Gulf. That is subject to collective bargaining between the parties. Yet I understand that in one or two of the ports a part of the deadlock and the danger threatening the application of the proposed settlement is that it is desired either to eliminate or narrow the differential. We have no jurisdiction over them. But I speak for a unanimous Board when I now give to the local unions in those ports the following advice: "It is the opinion of the Board that you owe it to the International Longshoremen's Association and you owe it to the trade union movement in this country to accept the President's Mediation Board's proposed settlement, and apply that settlement to your preexisting contract, and, in effect, renew that contract with these additions to it for the next 2 years."

There is one other very important issue involved in the refusal of these local unions, up to the present hour at least, to accept the proposal. I wish to make very clear to the employers and to the unions that there is nothing in the proposal of the President's Board that prevents them from voluntarily entering into an agreement in regard to certain issues, to change the working rules and conditions for their local port on the basis of a subsidiary or supplemental collective bargaining agreement that they may wish to enter into. They have the right to do that under any circumstances at any time. But I want to make clear to the union that it is the opinion of the Board that they have no right to use the settlement proposed by the President's Mediation Board as a club to force local employers to enter into such subsidiary and supplemental agreements.

I now move to the last point I wish to make. It is probably the most delicate subject matter that a mediator can discuss in a situation as tense as the present one. But my Board does not duck the delicate ones either.

I wish to say to Mr. Teddy Gleason, the chairman of the ILA's negotiating committee, and to Captain Bradley, the international president of the Longshore Union, "I think the hour has come when, as responsible union leaders, you must demonstrate that you are ready to be responsive to your obligations of responsibility to your country."

I fully recognize that in American unionism there is almost a sacred doctrine of "one for all and all for one." But when an individual, or a small group, jeopardizes the best interests of all, and proposes a course of action that would jeopardize and do irreparable damage to the national interest, union responsibility calls upon the leaders of the union to say to local union leaders, "Do not put us in a position in which we will have to seem to be leaving you to fight your battle alone. The hour has come in which

we as international officers must put the national interest first."

I have spoken very carefully on that point. I know the complete meaning of my words in every union hall in America. But let the international leaders in this union or any other correctly understand the senior Senator from Oregon. Whenever we reach the point at which the national interest would be jeopardized by union leaders continuing to give support to recalcitrant local union leaders if they have their way, those international union leaders have the responsibility of protecting the national interest, as any other American in a time of crisis has the same responsibility.

Therefore, I shall not look with favor upon the position taken by any international officers of this union that they cannot start the ships moving in New York, Boston, Philadelphia, Baltimore, or any other port until some little local grievance in Galveston, Miami, or Mobile is settled.

Adequate time has been given. Great patience has been manifested on the part of the officials of our Government and on the part of parties to the dispute, employers and union leaders alike, who have come to accept the Mediation Board's recommendation.

Mr. President, these ships must be moved. I say, most respectfully, without even an undertone, to say nothing about an overtone, of a threat, these ships will be moved. I should like to see them moved under a free collective bargaining agreement which these parties will have if they will unanimously put the President's Board's recommendations into operation by modifying their old agreement to carry out the President's Board's proposal, and agree to continue it for 2 years.

To the people in these ports who are recalcitrant let me say, "That does not prevent you from seeking to negotiate a settlement with regard to these local 'beefs' or issues, but it does mean that if you accept that agreement as modified, you are obliged to end the strike and move the ships and do your negotiating after you have gone back to work."

There is no justification for not getting these ships moving this weekend. There is no moral justification—there is no economic justification—there is no legal justification for a continuation of this strike.

I hope that this is the last word that will have to be said on this subject prior to making our final report to the President of the United States. I want the parties to understand that the President continued this Board not to mediate further with the parties but to continue to try to advise the parties, as we have been doing in telegram after telegram after telegram, as to what is necessary for them to do with local contracts to carry out the Board's recommendation. The President also continued the Board so that we would be in a position to make a final report to him, including whatever recommendations we deem necessary, depending on what course of conduct is followed by the parties.

I plead with the parties to cooperate with this Board by putting it in a position whereby, within a few hours, it can report to the President: "The strike has really ended. The men are back at work. The ships are moving. American commerce is doing all that it can so far as it can to recover from the colossal losses it has suffered from almost a month's strike in one of the most vital industries in this country: the maritime industry."

Mr. President, word has reached me from the Senate cloakroom that a wire service story reports that the ILA has withdrawn its pickets and ordered all members to report for work at 8 a.m. tomorrow. The story declares that President Bradley of the ILA has asked members in southern and gulf ports to do the same, whether they have a contract or not, and to continue bargaining after they return to work if they do not yet have an agreement.

That is surely welcome news. I extend to President Bradley and to Mr. Gleason of the negotiating committee my sincere commendation of their example of economic statesmanship. I hope and trust that all members of the union will respond to this appeal without delay.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article published in the Wall Street Journal this morning entitled "Dock Strike Appears Near End in North, but Union in South Seeking More Money." It covers with remarkable accuracy some of the points I have made in this speech as to the causes of the failure in some of the southern and gulf ports, as to why the local unions in those ports have not gone back to work.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCK STRIKE APPEARS NEAR END IN NORTH, BUT UNION IN SOUTH SEEKING MORE MONEY

The strike that has paralyzed Atlantic and gulf coast ports for 34 days appears to be entering its final hours.

Although leaders of some southern locals of the International Longshoremen's Association still are holding out for more money, northern ports and the biggest port in the South have come to terms.

And union leaders abandoned their stand that all local issues must be settled before any port would be reopened, clearing the way for opening most ports except a few in the South.

An official of the International Longshoremen's Association said "it looks very good for getting the men back by Saturday for the Atlantic coast district." That district comprises ports from Searsport, Maine, to Norfolk.

The ILA membership voted Wednesday and yesterday on the master contract proposed by a special Presidential Board. Union leaders were confident the rank and file would approve the pact, which calls for wage and benefit increases totaling 37½ cents an hour over 2 years.

ILA officials in the North and the New York Shipping Association, which represents shipping concerns along the North Atlantic, accepted the proposal earlier this week. And late yesterday longshoremen and shippers came to terms in New Orleans, the South's biggest port. The New Orleans settlement follows the lines of the master contract.

PHILADELPHIA ISSUES SETTLED

The main stumbling block to a settlement in the North was removed yesterday when Philadelphia shipowners and union leaders settled local issues there. The dispute had threatened to block opening of all North Atlantic ports. After an all-night bargaining session the union agreed to the appointment of a full-time arbitrator at the time the Philadelphia contract is signed, rather than afterward, and the employers agreed to start immediately to choose a site for a new central hiring point set up last May, arguing it was too far from the main dock area.

In Baltimore, James Guthrie, president of the Steamship Trade Association of Baltimore, said the association has accepted the terms of the Morse pact. He said he "doesn't anticipate trouble in getting an early settlement" with the union.

There were also no apparent problems blocking a quick contract settlement at Portland, Boston, or Norfolk. The ILA and shipowners already have reached an agreement at the port of New York and New Orleans.

NO ACCORD IN GALVESTON

In Galveston, Tex., however, both sides were still far apart up to last night. Assistant Secretary of Labor James Reynolds, who had directed part of the contract negotiations in New York, was scheduled to arrive last night to lead further talks.

Galveston talks ended Wednesday with the ILA and the shipowners far apart. The ILA has made 11 demands over and above the Morse money package, and an employers' spokesman said the demands would add 27 cents an hour to the 37½-cent package offered by the shippers. J. Ross Dunn, an official of West Gulf Coast Maritime Industries, negotiating group of shippers at ports from Lake Charles, La., to Brownsville, Tex., said, "We have complied with the recommendations the Morse board handed down, and we're not going any further."

Ralph A. Massey, president of the gulf and South Atlantic district of the ILA, said the ILA was seeking wages and benefits totaling 16 cents an hour above the Morse recommendations to cover inequities between contracts on the gulf coast and contracts in northeastern U.S. ports. James O. Hubbard of the Federal Mediation Service said the union also was seeking a clause setting a minimum size for labor gangs. There is now no contractual provision on minimum gangs in the west gulf area, and the employers are "opposing very strenuously" the union demand, Mr. Hubbard said. Size of work gangs had been a major point of dispute in the North but both sides agreed to submit the issue to a Department of Labor study.

Shipowners and union officials also have failed to reach agreement at two southeastern points.

In Miami shipowners representing ports from North Carolina through Florida have rejected union demands for retroactive pay increases and a union voice on the size of dock crews.

In Mobile the Mobile Steamship Association and ILA Local 1410 were said to be apart on how much pay dockworkers should get when idled by rain.

U.S. RELATIONSHIPS WITH NATO AND FRANCE

Mr. MORSE. Mr. President, with the same understanding I had with the Senator from Arkansas before, I shall continue with two or three other items.

Mr. President, a week ago Wednesday I made what I termed at the time was my major speech on foreign policy, probably, in this session of Congress. It concerned U.S. relationships with NATO, with special reference to problems which have arisen between the United States and Mr. de Gaulle.

I have been very much interested in developments which have occurred in recent days, and very much pleased with the responses my speech elicited.

The President in his press conference yesterday, in my judgment, made a magnificent statement in regard to some of the facets of the problems which exist viz-a-viz the United States and NATO, and particularly France.

Yesterday afternoon the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT] made a brilliant speech on the same general subject matter.

I only propose at this time to insert some materials into the RECORD as they bear upon this problem, for in my judgment it is a problem which cannot be swept under America's foreign policy rug; to the contrary, it is a problem which will require us either to put the vacuum cleaner to it or possibly some cleansing fluid, because it must be removed in a satisfactory manner if we are to have a sound fabric of American foreign policy.

I think I might introduce what comments I wish to make on it this afternoon with these words.

Lafayette was a captain of dragoons in France when in 1776 he heard of the American Declaration of Independence. He later wrote in his memoirs:

At the first news of this quarrel my heart was enrolled in it.

Through an American agent then in Paris, Silas Deane, he arranged to enter the American service as a major general. He arrived in the United States in 1777 and was so commissioned. He was 19 then. His first battle was at Brandywine, September 17, 1777, where he was wounded. Other battles in which he took part were at Barren Hill and at Monmouth. For the latter he received from Congress a formal recognition of his services. During a 6-month return visit to France in the winter of 1779–80, Lafayette was instrumental in persuading Louis XVI to send to the United States an expeditionary force of 6,000 men under General Rochambeau and a fleet under Admiral de Grasse, both of which played an important role in the events leading up to the battle of Yorktown in 1780. The battle of Yorktown terminated his services, and he returned to France, where he played a distinguished role in the beginnings of the French Revolution.

On July 4, 1917, during an Independence Day celebration in Paris, at which American troops were being reviewed, Col. C. E. Stanton, referring to Lafayette's services to America, said, "Lafayette, we are here."

And that great statement by the American colonel, as we know, has become emblazoned forever in the glorious history of both the United States and the French Republic.

I do not speak in terms of whether debts were repaid, because the matter of standing for and dying for freedom never can be cataloged in terms of an inventory of debts. But there can be no question that the United States has come to the rescue of France as Lafayette and the French expeditionary force came to the rescue of this young Republic in our Revolutionary days. Therefore it grieves us and pains us to take note of the course of action in France which is developing under the leadership of De Gaulle.

Mr. James Reston, in the western edition of the New York Times for Monday, January 21, 1963, had a brilliant column discussing De Gaulle and Adenauer and interpreting, as he sees the situation, some of their motivations, or possible motivations, or reasons for the course of action they are following. The topic of the article is, "What People Do They Think We Are? Adenauer Is Urged To Base His Policy on Suspicion of United States."

I ask unanimous consent that the entire Reston article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT PEOPLE DO THEY THINK WE ARE?—ADENAUER IS URGED TO BASE HIS POLICY ON SUSPICION OF UNITED STATES

(By James Reston)

WASHINGTON, January 19.—This is a solemn moment in the relations between the United States and Germany. For President de Gaulle is asking Chancellor Adenauer of Germany to base his future European policy on suspicion of the United States—even on an assumption of bad faith by the United States—and the Chancellor's answer to this will be watched here with the greatest attention.

Behind General de Gaulle's opposition to British entry into the European Economic Community and his opposition to President Kennedy's proposal for a multinational common nuclear defense of Europe lie two propositions:

First, that the United States is really trying to get Britain into the Common Market so that the Anglo-Saxons can control the new European community.

And second, that while the United States has stated specifically that it would treat an attack on its allies as an attack on itself, the United States does not really mean it and might stand aside and allow Western Europe to be destroyed by Soviet rockets if, by so doing, America can avoid a nuclear attack on her own territory.

Listen to De Gaulle:

"Who can say what tomorrow will bring? Who can say that if in the future, the political background having changed completely—that is, something that has happened on earth—the two powers (the United States and the Soviet Union) having the nuclear monopoly will not agree to divide the world?

"Who can say that if the occasion arises the two, while each deciding not to launch its missiles at the main enemy so that it should itself be spared, will not crush the others? It is possible to imagine that, on some awful day, Western Europe should be wiped out from Moscow and Central Europe from Washington. And who can even say that the two rivals, after I know not what political and social upheaval, will not unite?"

From this apocalyptic vision, De Gaulle draws the conclusion that France must have its own national nuclear force, that it cannot count on the honor and power of the United States—that it won't even leave anything to the Lord to decide—and that it must build a European community apart from those insular maritime peoples, the Anglo-Saxons.

Well, we are used to this in Washington and rather admire the swing of the rhetoric, but Adenauer is now being asked to act upon De Gaulle's vision, to rely on French atomic power when France will not rely on American, and to reject British membership in the community on the theory that Britain would be a kind of Trojan horse in Europe for the United States.

PREPOSTEROUS IDEA

This amounts to the preposterous suggestion that the U.S. Government would not only abandon its allies in Europe after a Soviet attack but would abandon its own armies standing closer to the Red army in Germany than does France. If there were a Soviet attack on Western Europe, it would be the American GI who would be hit first, not the French foot soldier. Kennedy has committed the best troops we have to Adenauer; De Gaulle has withheld his best troops from the NATO command in Germany. Yet Adenauer is being asked to create a Europe without Britain and a defense of Europe independent of the United States.

No doubt this has some political appeal in France and maybe even (at least in the economic field) for Adenauer. De Gaulle is the Walter Mitty of Europe, fighting and winning in his dreams of glory, the second Battle of Waterloo. But we have feelings and politicians too, and if these two men agree on the conspiratorial view of Britain and the United States, all the Kennedys in Christendom will not be able to pacify the Congress of the United States.

ADENAUER MUST CHOOSE

Adenauer, therefore, must choose. He and De Gaulle are the lame ducks but not yet the dead ducks of European politics and they have the power to veto Britain's entrance into Europe. But in politics, as in physics, every force creates a counterforce, and that counterforce will develop on the Potomac just as surely as the Rhine flows to the sea.

Many things have been accomplished by the limited partnership of the Old World and the New. For a generation now, Americans of both parties have moved step by step toward the goal of a common defense of the civilization we inherited from Europe, but this ideal can be broken, especially by assumptions of dishonorable American and British intent.

If De Gaulle and Adenauer are asking us to understand their longings for Franco-German reconciliation, they will get America's support prayers.

But if they are asking us to defend a Europe which questions American good faith; to cooperate in the spread of national nuclear weapons first to France and inevitably, on De Gaulle's thesis, to Germany; if they expect that we will cooperate with a Gaullist Europe that rejects and humiliates Britain and is contemptuous of all maritime powers; if they believe we will cooperate with a protectionist, inward-looking Europe which puts the continent before the Atlantic—then they are asking and expecting things that have never been and never will be. For the choice before Adenauer is not merely between France and Britain, but in the end, between France and the United States.

Mr. MORSE. Mr. President, I call attention to the last paragraph:

If De Gaulle and Adenauer are asking us to understand their longing for Franco-German reconciliation, they will get America's support prayers.

But if they are asking us to defend a Europe which questions American good faith; to cooperate in the spread of national nuclear weapons first to France and inevitably, on De Gaulle's thesis, to Germany; if they expect that we will cooperate with a Gaullist Europe that rejects and humiliates Britain and is contemptuous of all "maritime powers"; if they believe we will cooperate with a protectionist, inward-looking Europe which puts the Continent before the Atlantic—then they are asking and expecting things that have never been and never will be. For the choice before Adenauer is not

merely between France and Britain, but in the end, between France and the United States.

It is a keen analysis written by Reston of the situation that is arising between France and the United States; and, if Germany does not watch out, between the United States and West Germany.

Mr. President, in today's Wall Street Journal there is another penetrating article that I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, written by Philip Geyelin, under the heading, "Washington To Press Unity Moves Despite French Intransigence—United States Tries Several Tactics To Prod Common Market Nations To Admit Britain."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON TO PRESS UNITY MOVES DESPITE FRENCH INTRANSIGENCE—UNITED STATES TRIES SEVERAL TACTICS TO PROD COMMON MARKET NATIONS TO ADMIT BRITAIN—MUCH AT STAKE FOR AMERICA

(By Philip Geyelin)

WASHINGTON—"Getting angry at De Gaulle is like getting angry at a hurricane. He is one of the natural forces."

This teeth-clenched tribute from a top New Frontiersman points up the frustration confronting U.S. strategists seeking to counter the French President's latest effort to shatter President Kennedy's plans for Atlantic partnership. Signs of anger, frustration and concern all were evident in Mr. Kennedy's press-conference appeal yesterday for European unity and his none-too-indirect criticism of General de Gaulle's go-it-alone approach.

American anger, or even reasoned argument, it's conceded here, won't sway the general. In fact, any U.S. effort to intervene deeply and directly in France's quarrels with Britain and some of its Common Market partners would almost certainly backfire.

"For the record, this has to be treated as a problem for the Europeans to work out," says one administration policy maker. "If we jump in too openly, that would only strengthen De Gaulle's argument that we want to run the show."

U.S. INTERESTS THREATENED

Yet the President and his advisers are equally convinced this country can't stand idly by. Vital U.S. economic and military interests are menaced by President De Gaulle's plain intent to stall, if not stop, Britain's Common Market membership bid and scuttle the U.S. scheme for a multi-nation nuclear force within the North Atlantic Treaty Organization. Should General De Gaulle prevail, American officials foresee a splintering of the West into hostile trading blocs. France's cold shoulder to nuclear collaboration threatens serious, perhaps fatal, NATO strains. Entwined in all this is the fate of President Kennedy's cherished grand design for long-term remolding of Atlantic relationships.

What then can the United States do?

"A lot of things—indirectly," answers one Kennedy adviser. By mixing public gestures with private diplomacy and some specific inducements aimed at Europeans already hostile to the idea of a French-dominated Continent, administration men believe they can concoct potent antidotes to the De Gaulle plans.

The precise formula, of course, hinges heavily on the outcome of current Common Market maneuvering. Though General de Gaulle continued to insist in a French Cabinet meeting yesterday that direct negotiations with Britain about Common Market entry be broken off, he has accepted a German idea that Britain's membership qualifications be submitted to the Common Market's executive commission for further study. This compromise will be considered at a Common Market meeting in Brussels Monday, and if accepted would keep British hopes officially alive. But some Britons fear it would mean only that their nation's entry bid would meet a lingering rather than a quick death.

ELEMENTS IN U.S. STRATEGY

With the situation thus uncertain, officials here are making no firm predications of U.S. policy. But it is possible to discern these key elements of the U.S. approach to its most antagonistic ally:

1. Try to ignore him. Example: The United States is busily pushing its multination nuclear force plan with France's European partners. Last night the President announced his choice of retired career diplomat Livingston Merchants, an expert on European affairs, to head the U.S. team of nuclear-force negotiators. Italy, West Germany, and Belgium already have reacted favorably to the proposal, U.S. officials note. They add that other NATO nations are being sounded out on their willingness to help man and pay for U.S.-supplied Polaris missile-firing submarines which would operate under NATO command, though subject to ultimate U.S. control. "If only a few countries sign up, we can get started on a NATO nuclear force without the French," declares one U.S. planner.

2. Outflank him. The idea is to continue whipping up support for a broad transatlantic alliance and to stir anxiety over a tight, exclusive Continental European grouping dominated by De Gaulle. Example: The President's top trade adviser, former Secretary of State Christian Herter, has been stressing the dangers of trade protectionism growing out of a divided Europe in trade discussions with Common Market officials and others in Europe this week.

IMPACT ON TRADE

A key U.S. argument is that one important tariff-cutting provision of last year's trade bill will be all but inoperative if Britain is shut out. This is the authority for the President to cut duties to zero on items in which the United States and the Common Market account for 80 percent of world trade. With Britain in the trade grouping, U.S. experts say, this could provide leeway for big tariff slashes on a goodly chunk of trade in industrial goods. Without Britain, the list shrinks to aircraft and some perfume items.

3. Isolate him. Some U.S. officials contend this process is already underway without U.S. assistance, as witness the loud outcries from all five of France's Common Market partners (West Germany, Italy, Belgium, the Netherlands, and Luxembourg) over the general's rough rejection of Britain's membership qualifications. But the United States is quite prepared to give the process a diplomatic shove.

Example: President Kennedy's spur-of-the-moment decision last week to return Italian Premier Fanfani's visit by a trek to Rome some time this year, encouraged by Mr. Fanfani's firm embrace of U.S. Alliance concepts. The quick announcement was a conscious effort to encourage Italian resistance to the French Common Market policy at this critical juncture.

Similarly, the decision to add Bonn to Mr. Kennedy's itinerary and the speed of the announcement were dictated in part by the fact that Chancellor Adenauer was about to head for a Paris rendezvous with General de Gaulle. A likely followup: An invitation for Belgian Foreign Minister Paul Henri Spaak, a stout adherent of the "big Europe" concept, to visit Washington.

4. Outwait him. If nuclear policy were the only thing dividing General de Gaulle and the United States, some American strategists would favor this solution. France's cooperation isn't needed for a multination NATO nuclear force. And the Nassau pact proposal for the U.S. sale of Polaris missiles to Britain and France, with those countries responsible for producing the atom warheads and missile-bearing subs, was never expected to be operational much before 1970. By then it is by no means certain the 72-year-old general will still be France's President. So General de Gaulle's turndown of the Nassau offer may not be France's last word.

The rapid pace of Europe's economic integration, however, threatens such a waiting policy. U.S. officials fear that if Britain's entry is barred for long, it might be barred for good. The economic integration of the "Six" might go so far that fitting in Britain's economy might prove too difficult, they believe.

FRENCH PRESSURE ON DE GAULLE?

For this reason, though officials won't say so out loud, the United States is likely to give at least tacit approval to any moves by other Common Market members to slow the integration process for as long as Britain's application hangs fire. "This might well disturb a lot of people inside France, bankers and industrialists with some influence, who have geared their future planning to the Common Market coming off on schedule," says one U.S. official. He believes such pressure, from within France as well as from without, might persuade General de Gaulle to bow to British membership in time.

"A holding operation may be our best bet," concludes one administration man. "The important thing is to keep things on the right track, even if we have to accept some delay."

A holding operation could go awry, however. Though Britain's allies in the Common Market now seem bent on keeping the door open for ultimate British entry, one U.S. official notes: "This is a poker game and the last card hasn't been played." It's possible that if finally confronted with a Common Market whose development might be indefinitely stunted, the Five might capitulate to the French president and push on without Britain.

Some U.S. officials believe that's what the general has been angling for all along. When he first hinted last May that he opposed British entry, they think, he hoped to encourage political turmoil in Britain and force the British to break off the talks. When this failed, the reasoning goes, he decided to be blunt. "Now he's waiting to see what effect this has on Britain and the other Five," judges one U.S. analyst.

If he is right, the crucial test of General de Gaulle's policy may be its effect on the Common Market bureaucracy itself. The nine-man Common Market executive commission, which apparently will now be asked to pass on Britain's qualifications for membership, is composed of dedicated believers in one Europe. Though British sources believe this body up to now has been much in favor of British membership, it may ultimately decide that a functioning Common Market without Britain is better than one rent by continuing dissent between France and its partners.

If this happens, and if France's partners decide to forgive her and forget, U.S. officials concede not only that British membership might be ruled out forever, but that General de Gaulle might achieve his aim of forging a six-nation political unit as well. The result could then conceivably be a tight,

French-dominated bloc split permanently from the rest of Europe. Such an arrangement would inflame Franco-British relations, make NATO collaboration difficult or impossible and deal Mr. Kennedy's grand design a body blow.

DE GAULLE'S INFLUENCE DECLINING?

U.S. experts admit they would then be caught without meaningful contingency plans. "You couldn't plan against such a possibility without the most elaborate discussions with European countries, and any such talk would cut the ground out from under our real objectives," says one Kennedy aid.

More important, however, administration planners are convinced that the chances of this happening are exceedingly slim. For all General de Gaulle's intransigence, most U.S. analysts depict him as a man whose influence in Europe is probably on the wane.

Unless West Germany's Adenauer somehow finds a way around his promise to step down in September, the French President will lose his most influential continental ally this year. Almost any Adenauer replacement seems certain to resist the French little-Europe concept and to favor inclusion of Britain in the Common Market as well as close transatlantic ties.

U.S. authorities cite other European pressures they think will sooner or later work against De Gaulle and in favor of the Kennedy grand design.

Within the Common Market there's little hankering for a grouping dominated by France, or by the special Bonn-Paris partnership cemented this week by Messrs. Adenauer and De Gaulle. U.S. officials doubt Franco-German reconciliation will have much appeal as the basis for a tight, Common Market-wide political agreement. "The rest of the Six will go for that about the way De Gaulle went for the Anglo-Saxon Nassau pact," says one U.S. diplomat.

Free trade has powerful backing in Europe; France is rated suspect on this count in countries such as Belgium, the Netherlands, and, above all, West Germany, which currently trades more with Britain and the so-called Outer Seven (embracing Austria, Switzerland, and Scandinavian countries) than it does within the Common Market.

General De Gaulle may wish to exclude the United States from Europe, and a good many Europeans may desire a bigger voice in alliance affairs, but few informed Europeans apart from General De Gaulle have any illusions about the importance of the United States to their defense. "When you are maintaining highly expensive forces in Europe and control 95 percent of the West's nuclear power, you may not be loved, but you have a little leverage," says one American strategist dryly.

Mr. MORSE. Mr. President, I would have the leaders of France and the people of France recall, in this hour of growing difference between these two great Republics, the statement of Colonel Stanton on July 4, 1917, "Lafayette, we are here." I think it would be a most unfortunate historic development if it should happen that, in our time, another representative of the American people, standing in Paris, might find it necessary to announce to the French people and the world, "De Gaulle, here we go"; for, as I said a week ago Wednesday in my speech on NATO, involving a discussion of United States-French relationships, if France wants to follow a course of action which leaves us but one choice, and that is to leave France to her own defenses, then it will be necessary for a spokesman of the United States to say, "De Gaulle, here we go."

DER SPIEGEL ARTICLE ON GERMANY'S MILITARY DEFENSES

Mr. MORSE. Mr. President, last fall there appeared in a West German newsmagazine, Der Spiegel, an article about that nation's military defenses which caused panic among many of its civilian leaders. As we know, a political scandal erupted there that is still reechoing in West Germany.

But the uproar over publication of the article has unfortunately obscured most of what it said, insofar as Americans are concerned. The article described the results of a NATO exercise last September called Fallex 62, and I now ask unanimous consent that a translation of it appear in full at the conclusion of these remarks.

This article should be read by every American who is interested in the capabilities of NATO in case of all-out atomic attack upon both Western Europe and the United States by Russia, which was the situation posed by Fallex 62.

In brief, the article reports that only American forces are always combat ready; that West German forces received the lowest rating for military readiness; that the Russians would probably have moved to the Rhine River in 7 days; that the defense of West Germany at its eastern border is rendered ineffective not only by inadequacies in existing NATO forces, but by the failure of France to turn over to NATO the troops that are supposed to fill the southern end of the NATO line.

To quote from the article:

Although the war in Algeria is over, France's President, General de Gaulle, has refused to make the divisions which have been released from the Algerian struggle available to NATO Headquarters.

DeGaulle is holding three-fourths of the French Army under French national jurisdiction; included in these forces is the Army Corps of Parachute General Massu which are the garrison forces in Alsace-Lorraine. De Gaulle considers this corps west of the Rhine as his own personal operational force and as shock troops of the line. He wants to use them for his own purposes in case of a Soviet breakthrough toward the Atlantic.

The NATO Command for central Europe in the meantime urgently needs Massu's corps for assignment nearer the front. The section of the front, including Munich, which the French are to cover in southern Germany, is weakly manned so that neither Munich, Hamburg, or Hannover can be defended.

One wonders at De Gaulle's plan for a Franco-German leadership of Europe which bases its military defense on the abandonment of Germany and the protection of France.

However, the main result of this exercise, according to Der Spiegel, is that the NATO Command in central Europe could not defend Germany successfully at the present time, even with the use of tactical atomic weapons. The severity of the attack on this article by the German Defense Minister indicates that it must be considered to be reasonably authentic.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONDITIONALLY FIT FOR DEFENSE

"One can influence American policy only by making it together with the Americans, and not by making policy against the Americans." (Federal Defense Minister Franz-Josef Strauss, March 20, 1958, in the German Bundestag.)

The Chancellor left his capitol, Bonn. As the Fuehrer had done at the beginning of the Western campaign in the early morning of May 10, 1940, he moved into a command bunker in the Eifel Mountain.

The Chancellor was accompanied by members of the Federal Defense Council and officers of the Bundeswehr.

The highest danger of war existed. The Fallex 62 (fall exercise of 1962), a NATO staff war game, was moving from the tension stage into the defense stage. The European NATO commander, General Norstad, had issued a general alarm after Western outposts had been attacked.

On this 21st of September Conrad Adenauer was playing a game of boccia in Candenabbia. The Chancellor's place in the war game had been taken over by Minister Heinrich Krone, Conrad Adenauer's closest political confidante. Franz-Josef Strauss was in his Riviera retreat, taking care of his nerves, which had been frayed by the Fibag affair and the fighting over the Bavarian Minister Presidency. To the astonishment of his coworkers, he stayed away from this important exercise, whereas U.S. Secretary of Defense MacNamara actually came to West Germany for 48 hours in order to observe the development of Fallex 62. The Defense Minister's part in the game was attended to by Ministerialdirektor Karl Gumbel, Bundeswehr personnel chief.

In the meantime, the Bundeswehr was led by Generalmajor Graf Kielmansogg, normally commander of the 10th Armored Infantry Division in Sigmaringen. But the Bundeswehr's Inspector General, Four-Star General Friedrich Foertsch, unlike his Chancellor and his Minister, was not on vacation; in war game headquarters he observed, move by move, the exercises which provided him, the highest German soldier, with ample illustration of the Federal Republic's military readiness and of the combat readiness of its fighting forces.

Fallex 62 was the first NATO exercise conducted on the basis of the assumption that the third world war would begin with a general attack on Europe.

The third world war began on that Friday in the early morning hours almost 3 weeks ago. The exercise headquarters had an atomic bomb of medium power explode over a Bundeswehr airbase. Further atomic attacks were assumed against NATO airfields and missile positions in the Federal Republic, England, Italy, and Turkey.

The Soviets did not succeed, however, in knocking out the retaliatory weapons of the Atlantic Pact nations with this first atomic assault.

About two-thirds of the Western atomic weapons carriers remained intact. The 14-day tension phase preceding the Russian paper attack had been utilized by NATO for camouflaging its missiles; a major portion of its aircraft were being kept constantly in the air, or had been stationed in previously prepared dispersal areas.

But even the immediate counterblow by these NATO units could not nip Red aggression in the bud. The East retained enough divisions and atomic bombs to press its attack forward.

After a few days major parts of England and the Federal Republic had been completely destroyed. Ten to fifteen million dead were assumed in both countries. Losses were even greater in the United States which, in the meantime, had been hit with several Soviet hydrogen bombs.

The chaos was unimaginable—even taking into consideration that the exercise headquarters, for the sake of testing remedial measures, assumed the explosion of more atomic projectiles than the Soviets could—or would be expected to—use in actuality.

This chaos impeded the advance of the Communist divisions which had also been severely hit. In spite of this, they could book major territorial gains in the northwestern part of the Federal Republic, including Schleswig-Holstein, since the NATO forces were short on manpower. Hamburg was not defended—a concession which even before the exercise had been advocated by Interior Senator Helmut Schmidt, as it had at one time, under similar circumstances, been counseled by Hamburg's governor, Karl Kaufmann. The military command, also, was not interested in murderous street fighting.

The purpose of Fallex 62 was the testing of NATO's military readiness and the functioning of the command staffs, and, above all, the checking of emergency plans for the population. For this reason numerous civilian authorities—the Interior Ministries of the Federal Republic and its member states, provincial and district officials and representatives of the Ministries of Postal Affairs and Communications—participated in the exercise.

It became apparent that the Federal Government's preparations are completely inadequate for defense purposes. Lack of emergency legislation was only one of many ills.

The medical setup was the first to break down. Doctors, auxiliary hospitals and medicines were lacking. Provisions for good supplies and the preservation of vital industries and traffic routes did not fare any better. Air defense proved to be completely inadequate. It was impossible to keep the refugee flow under control. The telegraph system also was out of commission in a very short time.

The officials and observers participating in the games, among them Bonn Historian Walther Hubtsch and representatives of the Federal Industrial Association, were shaken by the progress of the exercise. Interior Minister Hermann Hoecherl came to the conclusion that only prior preparation would be of help in a catastrophe like this. His comment on the lack of preparations: "Under present circumstances almost no one has a chance."

Even during the tension phase, meaning before the start of the attack, the deficiencies of the Bundeswehr had become evident.

The American military units in Western Europe had 85 percent of their manpower ready for combat within 2 hours. The Bundeswehr's nine mobile divisions, however, which are already subject to NATO command, were not up to personnel strength and, in addition, lacked weapons and equipment. Only one-quarter of the doctors' T/O in the units was filled. For the hundreds of thousands of Bundeswehr reservists who had completed their tours and who were assumed, for game purposes, to have reported to military assembly points, there were no commissioned or noncommissioned officer cadres, and certainly no weapons.

The territorial defense units with their few heavy engineer units were hardly up to their assignments. For action against tanks which had broken through, no territorial defense units were available at all.

The NATO high command has divided the allied fighting forces into four groups:

(a) Fully fit for attack.

(b) Conditionally fit for attack.

(c) Fully fit for defense.

(d) Conditionally fit for defense.

Today, after almost 7 years of German rearmament and 6 years of direction by its commander in chief, Strauss, the Bundeswehr has still the lowest NATO rating: Conditionally fit for defense.

Such substrength defense forces are even in normal times opposed on the central European battlefields by a compact initial assault force from the East; 10 armored and 10 mechanized Soviet divisions with 6,000 assault guns and tanks, most of them the medium T54 type, and including 1,000 heavy tanks of the Joseph Stalin type, all on East German territory; 2 Soviet divisions in Poland; and 4 in Hungary.

The Soviet core is supplemented by 6 East German Army divisions, 6 East German border guard divisions, and 3 East German border brigades, as well at 13 Polish and 14 Czech divisions.

The Czechs have modern equipment but little combat value. The Poles lack equivalent weapons as well as fighting spirit. The East German National Peoples Army, whose 2,500 tanks are mostly of the older (T34/84) type, was during last year's Warsaw Pact maneuvers deployed in the very front lines, even though its combat value is not regarded as high either. The Soviet divisions in central (East) Germany are among the elite of the Soviet forces.

The combined Red forces could presumably beat back an attack by NATO units designed to relieve a blockaded West Berlin—with the Bundeswehr as a vanguard, as U.S. President Kennedy, in talking with Bonn's Ambassador Grewe, found at least worthy of discussion. In the opinion of high staff officers in NATO headquarters in Paris, however, these Red forces would have insufficient power to destroy basic Western positions, even if the assault is supported with atomic weapons.

An offensive by the Eastern armies against the West would need a systematic deployment of frontal assault units and strong reserves in order to feed the continuing assault with staggered waves from the rear. During the preparations for the construction of the Berlin wall on the 13th of August of last year, the Soviet forces in East Germany had providently established several skeleton staffs for Red armies which were to be used as relief forces in case there was a crisis.

By bringing up such forces by road and rail the Soviets could within 10 days add about 50 divisions from the western U.S.S.R. to the combined forces in East Germany.

The array of Soviet forces is completed with two airborne divisions, among them a parachute division, to be brought in by Red air force transports. All frontline units of the East are fully equipped and mobile even in peacetime. Their advance during the tension phase is a question of transportation.

NATO, on the other hand, in order to come up with appropriate defense forces, must first bring the active divisions up to strength and mobilize the reserves. Of course, the frontline strength of a Soviet division is 10,000 men plus independent artillery and rocket units and is therefore smaller than the average NATO division which has a planned wartime strength of 20,000 men and its own heavy artillery. In addition to that the attacker needs an overall superiority of 3 to 1. In order to deter him from such an operation or to be able to resist him, NATO needs at least 40 divisions for defense between the Alps and the Baltic against the approximately 120 Red assault divisions.

Actually, the planned NATO strength for this area is so far exactly 33 divisions. As of now the actual combat strength comes to 23 divisions:

(a) Five U.S. divisions, plus three regimental combat units equipped with Davy Crocketts.

(b) Three British divisions, including a Canadian brigade.

(c) Two Belgian and two Dutch divisions and a Danish division.

(d) Nine Bundeswehr divisions (5 armored infantry, 2 armored, 1 airborne, and 1 mountain division—a 10th division is about to be ready—with about 2,000 tanks, 4,000 infantry tanks, and 700 self-propelled mounts).

In addition, materiel for two U.S. divisions is stored in the Federal Republic. The soldiers can be brought in by air within 1 week, as was shown in the air transport exercise Long Thrust last year.

The American divisions are always combat ready. The English divisions are up to 60 percent in strength; within the framework of Fallex 62, therefore, British reservists were flown to Germany. The Dutch and Belgian units are also under strength. In the Bundeswehr divisions, among which the mountain and airborne divisions do not yet have three full brigades, the actual strength, after introduction of the 18-month tour of service, hovers between 80 and 90 percent.

Beyond that NATO lacks combat flyers in support of combat troops, and conventional rocket launchers of the Soviet Stalin organ type.

In view of this Western inferiority, the NATO high command assumes that in a conflict the East would launch a full-scale attack with three massive wedges as follows:

(a) North of the Elbe River against Schleswig/Holstein, combined with air landing operations on the Jutland, in order to take over the Baltic exits and to keep them open for the Red naval forces, especially submarine flotillas.

(b) On both sides of the Helmstedt/Cologne autobahn past the Ruhr area across the Rhine.

(c) From Thuringia to Frankfurt/Main and, for flank protection, toward Nuremberg and Munich in the south.

Outflanked NATO units would be tied down by attacks from Bohemia through the Fichtel and Marz Mountains.

This broad offensive—target: North Sea and Atlantic—can be pressed by the East entirely with conventional firepower, owing to Western manpower deficiencies. For this purpose 7 artillery brigades and 6 to 8 rocket launcher brigades have been added to the 20 Soviet divisions in East Germany alone. Added to this is a strong combat air complement which supports the raid of the tank wedges with conventional bombs and other projectiles.

Of course, the Soviet divisions do lack tactical atomic weapons. The caliber of such weapons exceeds that of equipment which a division can use purposefully in battle; there is a lack of reconnaissance and direction equipment for a range finding.

For this reason the Soviets have tactical atomic weapons only on army level, assembled in special units. Purely conventional warfare is therefore left to the divisions.

Even if the Soviets attack only conventionally, however, the still outnumbered NATO divisions have no choice other than to make up for the superiority of the attacker by using tactical atomic weapons. While such weapons in an air operation favor the attacker who delivers the first blow against enemy missile, air and radar bases, in the opening phase of ground combat they help the defender.

Both sides, attacker and defender, are forced through the mere existence of tactical atomic weapons to pull their troop units apart; the assembly areas are more thinly occupied. In the staff of NATO's Central

European Command one therefore calculates that the East will extend its attack position beyond the southern border of East Germany into Czechoslovakia and will violate Austrian neutrality in order to take over the Danube Basin.

In order to break through the attacker must nevertheless mass his forces at focal points, and he will thereby provide attractive targets for the defender's tactical atomic weapons.

Besides the defender, by using tactical atomic weapons, can lastingly interrupt the lines of communication through which the attacker supplies and strengthens his forward units. Full motorization and weapons with appreciably higher firepower are making the supply problem more complicated in any case than it was during the Second World War.

To quote U.S. General Lemnitzer, former American Chief of Staff and future Supreme NATO Commander in Europe: "The supply lines of the Soviet Army are fatally vulnerable."

However, if a breakthrough by the attacker succeeds and the front is moving, then the employment of atomic weapons by the defender will be very difficult. Friendly troops and the civilian population will then be endangered to a serious degree; the determination of the targets will be made difficult.

The West did not need to worry so much when, in 1949, after Stalin's Berlin blockade and the putsch of the Czechoslovak Communists, they drew up the North Atlantic Defense Agreement. At that time the Americans had a monopoly on atomic weapons. Their atomic mastery did not suffer any great losses because of the production of Soviet atomic bombs in the first years of the 1950's, because the superiority of the United States in the field of delivering these weapons remained.

But in spite of atomic superiority, the picture of a future war which the NATO strategists developed was not at all satisfying against an attack by Soviet mass armies on West Europe, the bomb could not accomplish anything during the first phase of the war, and the West, which had been demobilized since 1945, did not have sufficient defensive forces. Thus the NATO Council in Lisbon in 1952 came up with the proposal—which since then has been only legendary for a long time—of 85 divisions by June 1954 for the front from the North Cape to Turkey.

With this force, which did not include the 12 German divisions which were already planned, the NATO leaders believed that they would be able to proceed in accordance with the dreamlike operational concepts of Forward Strategy: The 85 NATO divisions, plus reserves, would intercept a Soviet attack against Western Europe and would liberate the people of Eastern Europe and the Soviet Union by means of Operation Pursuit.

The Lisbon plan and the Forward Strategy remained a plan on paper. The European NATO nations were afraid of the cost of large armies; instead, they put their trust in massive retaliation, in the heavy atomic bludgeon with which the Americans threatened to repay an attack by the Soviets.

The advantage which the American production of atomic and hydrogen weapons and of aircraft to deliver them kept over the Soviet armament technology even after the first Soviet nuclear tests seemed to justify this defense doctrine for a moment. The armies of NATO atrophied.

The NATO planners, however, had to recognize that their retaliation fire-magic, which would flame up in the Soviet Union, would starve out the Soviet attacking divisions only after considerable time has passed by destroying their base of supply. After the Lisbon plans collapsed, this realization gave rise to the idea of stopping the Soviet attackers first of all at the Rhine with the defense forces farthest forward.

This sacrificing of the Federal Republic which was planned in this fallback put a burden on West German rearmament. Theodor Blank, Bonn's first defense minister, first raised the demand, as early as 1952, at the first negotiations concerning West Germany's contribution to defense, to alter the defense strategy of the West at the latest at a time when the mass of the German armed forces contingent of 12 divisions was ready from fallback to forward defense—not forward strategy—the farthest forward defense line would be in the vicinity of the border.

General Collins, who was the Chief of the General Staff of the American Army at that time, assured the rearmers of Bonn that the defense plans would be revised in accordance with Blank's wishes as soon as the German armed forces had fulfilled all the necessary preliminary conditions. That was in July 1953 on the occasion of Blank's first trip to America at a discussion of the situation in the situation room of the U.S. Chief of Staff.

From this time on, Blank—now the Federal Labor Minister—fussed around with a rearmament calendar, according to which 500,000 German soldiers were to be recruited within 4 years.

With this hasty recruitment project which was intended to satisfy the NATO conditions for forward defense, 3 stages of the Federal armed forces strength were finally fixed upon: 1956, 96,000 men; 1957, 270,000 men; 1959, 500,000 men.

However, Blank and his two chief advisers, Generals Heusinger and Speidel, had miscalculated. After German rearmament began on November 10, 1955, their planned figures could not be reached. Everything was lacking—officers, noncommissioned officers, weapons, barracks, training areas.

Bonn's NATO partners were distrustful. Franz-Josef Strauss, who since 1953 had first been Special Minister and then Atomic Minister in Adenauer's second Cabinet, saw his chance. He tried to get Blank's job.

In the Hamburg weekly Die Zeit he informed his fellow Cabinet member Blank: "One should not marshal forces which do not conform to modern requirements just for the sake of achieving a certain number." Against Blank's drafting-of-soldiers cure, Strauss set up his own visionary trademark: "army of quality."

Six years later, after the NATO Council Conference last May, at which the Americans agitated for stronger conventional forces for NATO and vindicated Blank's concept after the facts, Strauss desired to erase all traces of that apparent dialectic at the time of his graceless competitive struggle with Blank. In a "Comment of the Defense Minister" at the conference at Athens intended for the Federal armed forces, he said: "In the past, at the time when the SPD (Social Democrats) labeled the mustering of 500,000 conventional troops as 'nonsense which ought to be in a museum,' we always took the stand that we in Europe need a strong force of conventional forces."

In May 1956, however, Strauss attacked his superior Blank with the slogan of atomic arms for the Federal Armed Forces, to which Blank replied with his usual statement that conventional weapons are more important. But finally Blank was tired: "The leadership of the defense policy means more to me than becoming a martyr."

On October 16, 1956, Strauss took over military power. He at once set about establishing his army of quality, and he did it by a trick. He deliberately differentiated (which the NATO plan had not provided for) between the wartime and peacetime strengths of the Federal Armed Forces. The wartime planned strength of 500,000 men was reduced by him to the peacetime planned strength of 350,000 men, and he also extended the date for the formation of the individual units.

In doing this, Strauss was smart enough not to simply strike out the final strength of 500,000 men which had been planned. Instead: "Once we have some reserves we can fill up the table of organization" from peacetime strength back to wartime strength.

Strauss was lucky. His manipulations coincided with the armament tendency in the Pentagon, which at that time designated the military policy of the Eisenhower government as the Radford plan (Admiral Radford served as the American Chief of General Staff of the Armed Forces from 1953 to 1957). The U.S. Army, which had been reduced in strength again, was only a trip-wire anymore and if it was touched by an aggressor anywhere in the world the global atomic war would be set off.

The Soviets, who were overwhelmingly superior to the West in number of Army units, alined themselves against this in accordance with the maxim of their tank marshal Rotmistrov: "It is absolutely clear, that atomic and nuclear weapons alone, that is, without decisive operations of modern-equipped land forces, cannot determine the outcome of a war." Soviet General Krassilnikov amplified this maxim: "Atomic war demands not the reduction of troop strength but rather its increase, because the danger that entire divisions will be knocked out is increasing and to replace these troops large reserves will be necessary."

At the same time the Soviets continued to stock up atomic and nuclear weapons more and more. Their sputnik rockets turned out to be carriers with transcontinental range.

NATO reacted to this with the MC–70 program, an armament and command directive of the North Atlantic Military Committee in Washington. It recommended for the period beginning with early 1958 to the end of 1963 the following goals: 30 divisions alone in the European central NATO section and tactical atomic weapons for all of these divisions as well as for the NATO air forces.

Experience shows that both goals will not be fulfilled during the period of MC–70, that is, by the end of next year. Today the number of central European divisions are seven short of the plan.

The equipping of the divisions and air forces with tactical atomic weapons has likewise not been achieved completely.

(The tactical atomic weapons of NATO forces include the following short-range rockets: Lacrosse-range (32 kilometer); Honest John (40 kilometer); Sergeant (150 kilometer); Corporal (140 kilometer); and Redstone (400); the multipurpose 17.5 centimeter cannon (50 kilometer); and the 20.3 centimeter howitzer (23 kilometer); the Matador missile (750 kilometer), and the Maco (1,200 kilometer); the antiaircraft rockets Nike-Hercules (50 kilometer altitude) and the atomic rocket launcher Davy Crockett (10 kilometer).)

The Federal German Army, according to MC 70, is assigned per division one Honest John battalion, per corps one to two Sergeant battalions. The Honest John battalions have not been completely set up, the Sergeant battalions are just being built up.

The Federal Air Force at present has only two combat-ready Nike antiaircraft battalions. And only a small part of the five fighter-bomber squadrons of the air force have been equipped for atomic warfare.

(In addition to the 5 fighter-bomber squadrons, with 50 aircraft each, the air force also has 2 fighter squadrons, 1 reconnaissance and 1 transport squadron. The air force has a total of 600 aircraft.)

The air force's 24 Matador missiles, which have in the meantime become obsolete, are being replaced by three to five Pershing

rocket battalions. (The Pershing rocket has a 600-kilometer range.) The training of German Pershing crews has begun in the United States of America. The charges for the American atomic warheads assigned to allies according to MC 70 remain until the time for their use under lock and key in the special ammunition sites. These depots guarded by NATO soldiers from all nations in the Turnus Mountains are lying hidden in the ready rooms for immediate use by the troops. American officers, always on the alert, have the control authority.

Before the first atomic shot can be fired from these arsenals the Supreme Commander of NATO in Europe must get permission from the President of the United States. Only then may the Supreme Commander release warheads in the lower kiloton range to commanding generals of corps, specifically according to firing plans for different situations with various detonation values.

(The Hiroshima bomb of the Americans dropped in the summer of 1945 was equivalent to 20,000 tons of TNT. This is considered today as being in the lower range.) The corps can issue the fire order themselves or pass it on to the divisions. Commanding generals or division commanders give the fire order to the artillery commander. The order specifies the target, the time of the firing, and the necessary effect. The superior commanding authorities and the air force will be notified about these details. The commanding officer of the artillery gives the order to fire directly to the weapon crew.

The dropping of tactical atomic bombs by the NATO air forces follows a similar command structure. About two-thirds of the atomic capability present in Europe is stored in air force depots. These warheads are in the medium kiloton range.

Along with the American medium-range rockets of the submarine as well as those emplaced in England, Italy, and Turkey, the atomic fire power of the air forces is considered today as the sharpest sword of NATO.

In addition, units of the strategic bomber command of the U.S. Air Force have been assigned to the defense of Europe. However, the bomber units are threatened with the danger of being shot down: the U–2 losses over the Soviet Union and Communist China have demonstrated that antiaircraft rockets can operate successfully at high operational altitudes.

The confidence of the NATO staffs continues to be based on the advance of American atomic weapons production over the Soviet Union. The United States has processed, according to a statement made by U.S. Secretary of Defense McNamara at the Athens NATO Conference in May, four times more nuclear material into warheads than the Soviets.

America alone is in possession of 97 percent of all atomic combat means in the West, a force which is calculated to be enough to cover two and three times 90 percent of all military targets in the East. The remaining 10 percent of the targets in the East have not been located or are so mobile that they could not be covered even with a higher atomic capacity of the West. A NATO war game 2 years ago revealed the atomic saturation degree of the West: On one and the same Baltic port three atomic bombs were dropped at the same time. The reason is that NATO strategists are certain that the Soviet Army, because of its vulnerable land connections with some of its supply lines, will turn to sea transport; there is talk in the Navy of the Baltic runway.

Thus three NATO warriors from three different command posts drop one atom bomb each on the Baltic port. In order to bring some order into the atomic ammunition stockpile and to secure firing discipline the Pentagon has set up a Joint Command of American Armed Forces which coordinate firing plans. A liaison staff of the Central Command is located with the NATO Supreme Commander, Europe, in Paris.

This target distribution, of course, does not answer the basic question of whether, when, and which atomic weapons may be used. The answer to this is aggravated by the following factors: (1) The stalemate pattern between the strategic nuclear weapons of both sides, in which the attacker may also be destroyed by the subsequent retaliatory blow of the attacked; (2) the equipment of Soviet front armies with tactical atomic weapons; (3) the resulting growing danger according to U.S. judgment, of local, conventional, or limited atomic conflicts in Europe, caused for example through the Berlin crisis.

In this stalemate situation America could be tempted to accept local successes of the Soviet Army in Europe fighting the numerically weaker NATO units, in order to avoid the deathly exchange of strategic nuclear weapons. The Soviets, on the other hand, could be misled through the atom strategic death balance to attempt such limited advances and to occupy territory. For this reason, the former Chief of Staff of the United States Army, General Taylor, demanded as early as the beginning of 1959 an increase of the conventional arms plan of MC 70. However, the Republican Eisenhower administration was not inclined to spend money on conventional arms. Similarly, Europeans avoided higher military budgets.

The Eisenhower government thought a way out through which, tactical atomic weapons having already been pushed forward into the European front, strategic nuclear rockets were now to be brought under the command authority of NATO. The Americans intended to balance thereby their shortage of intercontinental missiles.

Thus they offered around the end of 1960 more than 100 medium-range missiles of the Polaris type, with a range of 2,000 kilometers (today 3,000 kilometers) to the European Allies. This was contained in the first drafts of the plan directive MC–96 which will supersede MC–70 by the end of 1963.

The Polaris missiles were not only to be ready for firing from submarines but they were also to get firing positions on the West European continent. The Federal armed forces was also to receive an allotment of missiles.

Bonn's Defense Minister Strauss welcomed the offer of missiles enthusiastically, while all the other NATO partners have remained skeptical and aloof until now. Strauss believed that he had reached the goal he desired of sharing in American atomic power and thus catching a piece of atomic sovereignty. Furthermore, he believed that the Polaris project would wrest the French hegemonial instrument in Europe from their hands—the atomic force de frappe (power of intimidation).

But the sober-thinking general staff members in the European NATO High Command in Paris did not gloss over the promise of the Polaris because between the hopes of intimidation and the means of intimidating on the lowest level of the defense system, now the same as before, there was discrepancy.

Through map exercises in the Paris NATO Headquarters, it was learned that the NATO lines of resistance were weakly manned and there were no reserves, so that the defending units, even in case of small advances from the East, would have to shuttle back and forth from sector to sector as long as they did not defend with atomic firepower. But that kind of sideways movement would lead to dangerous exposures of wide sectors of the front.

However, atomic defensive fire by NATO against the Soviet attacker, who likewise would bring along atomic weapons, would threaten to set off the so-called atomic spiral (escalation): the one who is losing in the atomic firefight reaches for the next higher caliber.

In NATO Headquarters they decided, as a result of the war exercises, that the ground forces units must be completed and that in this way the atomic threshold must be raised in the system of graduated intimidation; the time at which the only atomic weapons would be of use anymore against a Soviet onslaught must be deferred.

Among the high-ranking officers on the highest level of the Atlantic military hierarchy who set up such war exercises in 1959, directed them and evaluated them, was West German Armed Forces Gen. Friedrich Foertsch, who since January 1 of that year has been the Deputy Chief of Staff Plans and Policy in the NATO top command for Europe. Foertsch later gave the following résumé of his accomplishments in the Atlantic high command: "I brought my comrades to the point where they were no longer always just shooting atomic weapons around."

The reform efforts in the NATO European headquarters which have been urgently advocated since the beginning of 1960 by the new Democratic Kennedy administration were matured last fall in the form of plan recommendations to the NATO government. The European ground forces units are not only to be brought up to strength but their strength is to be increased and they are to be brought so close to the demarcation line that local border violations without atomic firing can be cleared up by counterattacks. Intimidation in dealing with encroachments by conventional forces by Eastern ground forces is intended to gain in persuasiveness by this means.

Nevertheless, the tactical atomic weapons will remain in the NATO European divisions because the Soviets also have these tactical weapons, not in the divisions but within their armies. United States General Lemnitzer, speaking on American theories, according to which the tactical nuclear weapons should be removed from the front-line units and stationed in the rear, said, "That would be crazy; if the weapons were used, they wouldn't get back up to the front." However, the question as to whether it would not be better to assign the tactical atomic weapons to a special command, as in the Soviet Army, remains open.

However, the offer of Polaris missiles from the first draft of MC 96 was deferred in favor of strengthening conventional forces. U.S. President Kennedy outlined his lack of interest in such a NATO atomic power politely when he advised the Europeans first to get together on joint control of this weapon.

Kennedy had American NATO Ambassador Finletter state in the Atlantic Council that the ground force units had priority, and that equipment with Polaris missiles, if it should come to pass some day, must in any case be paid for in cash with dollars by America's allies.

America's Secretary of Defense McNamara expressed it more clearly: "Within 4 or 6 years we want to be far enough along so that Europe can also be defended against a large attack with conventional weapons by conventional weapons."

The Bonn Government instructed its NATO Ambassador von Walther in January of this year to accept the new planning demands of the NATO staff—as a basis for planning, as Ambassador von Walther qualified his statement—there would still have to be discussions concerning details, he warned cautiously.

The truth is that Bonn's Defense Minister Strauss rejected the innovations right from the beginning. He suspected the Americans; they would hesitate too long about making use of the atomic weapons if war broke out, in order to protect their country from the strategic nuclear weapons of the Soviets.

Strauss said: "Today one cannot accept war by conventional means as the lesser evil, thinking that one can avoid the suffering of an atomic war by that means. Atomic weapons cannot be eliminated by such an acrobatic act of self-deception."

The minister declared that atomic intimidation would lose in credibility if NATO prepared itself for conventional warfare.

However, the Berlin crisis which has been smoldering spoke against Strauss' theories; the danger of local clashes had become evident to everybody. It forced the West to plan military operations, the implementation of which would only be possible with the use of conventional forces, if the West did not want to begin an atomic battle.

Thus, for example, the NATO strategists considered blocking off the Baltic Sea exits as soon as the Soviet blockaded West Berlin. But a sanction of this type requires conventional defensive preparations for the event that the Soviets wished to break the Baltic Sea blockade.

Franz-Josef Strauss, on the other hand, although he is sometimes admired and sometimes disparaged because of his rhetorical athleticism, does not wish to shore up the Western Berlin policy militarily. During the critical days after August 13, 1961, in internal discussions, he opposed any energetic action and accused Mayor Brandt of playing with fire.

When the new planning requirements of NATO reached Bonn, Strauss ordered the staff of Inspector General Foertsch, headed by Major General Scnez, to make a strategic analysis with the thoroughness of a Moltke, the young war gods of the Ermekeilkaserne at Bonn drew up several war studies. In them the initial situation of the Fallex 62 staff exercise was already anticipated: The Soviets begin a large-scale attack on Europe with a devastating atomic strike against the missile bases, landing fields, and communications centers of NATO, as well as against the ground-force units in the defense area near the border.

However, the West German General Staff officers could not agree on the conclusions to be drawn for the strategy of the Atlantic Powers. Strauss' Press Col. Cord Scmueckle alluded to their differences of opinion in a newspaper article: "There are generals who obstinately maintain that a war in Europe would not last longer than 48 hours. Others speak of 48 months. The difference between the two figures reflects the distance which divides the Air Force and Army experts from each other in general as soon as the nature of war in these days becomes the subject of discussion."

A group of General Staff officers, supported by German officers of the NATO staffs, argued as follows: Only a stronger German Army can increase the intimidation factor and prevent the Soviets from making an attack at that time. Also, only an increase in the number of German troops would guarantee the forward defense on the zonal border. In a memorandum to Insp. Gen. Friedrich Foertsch, the German members of the NATO High Command also indicated that more West German soldiers would increase the political importance of the Federal Republic in the Atlantic alliance, while, on the other hand, Bonn's aspirations for medium-range missiles would only arouse distrust.

However, other officers of the directing staff of the Federal Armed Forces felt that NATO could best counter a first atomic attack by the East by accepting the idea of a preemptive strike which was already discussed years ago in the United States, which would anticipate the Soviet atomic strike, hitting right at the moment when the Soviet intention to attack is clearly perceived.

Their demand was that NATO needed an independent—independent from the United States—atomic force, if necessary at the expense of conventional armament.

Air Force General Kammhuber, who was until the end of September inspector of the Federal Air Force, expressed similar thoughts as early as 1955, during the NATO air exercise Carte Blanche when a similar war opening phase was enacted. Even then Kammhuber supported the idea that the Federal Army needed a weapon, effective to the Ural Mountains. Otherwise we are only satellites.

Strauss and Kammhuber laid the foundation for the miracle weapon with the Starfighter program: Fighter-bombers capable of carrying atomic warheads which were to be replaced later by missiles.

The fighter-bombers are predestined to be used for the preventive blow because they are greatly endangered on the kilometer-long concrete runway through missile fire or bombing of the initial enemy blow. The question is whether they would find undamaged landing places on their return from the first front flight.

While alternate landing places have been set up and dispersed and while concrete bunkers to park aircraft are now reportedly being built and temporary landing facilities are being built on the superhighways, an atomic warhead detonated in the vicinity of a runway would destroy the radar instruments without which a Starfighter could only be brought down with extreme difficulty.

The Strauss colonels preferred their war studies, even though the American Government had continuously rejected the idea of a preventive strike. It contradicts the defensive character of the Atlantic alliance. In the Western capitals there is belief in a stabilizing effect on the world political situation resulting from the idea that the West would never be the first to attack and that the Soviet Union knows this.

The orders for the NATO air forces are therefore based on the immediate countermove after beginning of the attack. They are aimed at the missile bases, airports, and above all at the most sensitive points of the Russian attacker: the long supply lines. The battlefield Europe is to be cut off at the Vistula.

At the same time it is the job of the NATO army units to stop the attacking enemy coming from the staging area between the Vistula and zonal border.

Up to 1958 the Rhine River was considered the main line of defense. The weak NATO divisions could only have delayed a massive attack between the zonal border and the Rhine. In doing so, they were to hold several resistance lines based on natural obstacles, for certain periods in each instance, in order to secure for the fighter-bombers and missiles installed west of that line the required radio (remote control) fire.

NATO planners had calculated that an atomic counterblow on the supply lines of the East would not be felt by their attacking army for several days. However, no later than on reaching the Rhine, according to NATO calculation, the Soviet Army would be forced to regroup its units.

Gen. Friedrich Foertsch in the European NATO Supreme Command, his predecessor Federal Army Inspector General Gen. Adolf Heusinger, and Gen. Hans Speidel, army commander in the NATO Command Europe Center, succeeded in time in having the NATO main line of defense moved farther eastward from the Rhine.

Following August 13, 1961, the American Supreme Commander of NATO, Norstad, in view of the possible skirmishes along the zonal border, ordered that the border area be defended also. Intruding People's Army or Soviet units are to be repulsed across the border.

A Dutch brigade moved to Baergen Hohne in the Lueneburger Heath on orders of Norstad to secure the border area.

What was now completed on the drawing board was what the first German Minister of Defense, Theedor Blank, had attempted to achieve as early as the end of the 1950's: the advanced defense.

As Fallex 62 has shown, the forces with which NATO Headquarters needs to put this operational concept into force have so far been lacking.

Although the war in Algeria is over, France's President, General de Gaulle has refused to make the divisions which have been released from the Algerian struggle available to NATO Headquarters. De Gaulle is holding three-fourths of the French Army under French national jurisdiction; included in these forces is the Army Corps of Parachute General Massu which are the garrison forces in Alsace-Lorraine.

De Gaulle considers this corps west of the Rhine as his own personal operational force and as shock troops of the line. He wants to use them for his own purposes in case of a Soviet breakthrough toward the Atlantic.

The NATO Command for central Europe in the meantime urgently needs Massu's corps for assignments nearer the front. The section of the front, including Munich, which the French are to cover in southern Germany, is weakly manned so that neither Munich, Hamburg, or Hannover can be defended.

The army high commander of the central European NATO sector, General Speidel, is concerned over the notorious anti-NATO attitude of the French: "If something happens, will Massu help?"

But even if Massu helps, and Speidel includes the French corps in Alsace-Lorraine in his central European forces, and even if by the end of next year all 12 planned German divisions are at his disposal, NATO General Speidel will still not have enough divisions under his command. According to Speidel, and the NATO Headquarters in Paris, he needs at least 35 divisions for his sector in central Europe in order to defend the Federal Republic at the border with the Soviet zone, and not just at some point between the Rhine and Weser Rivers.

The Bundeswehr's new command directive, which is the field directive for 1962, prescribes a front sector of 25 kilometers to be defended by every division without atomic weapons. On the other hand, General Speidel, with the forces now available to him, must assign a front sector of 30 kilometers to an individual division in the area of central Europe to be defended.

Under these conditions, a single breakthrough by the aggressors can lay the whole front in central Europe wide open. The Soviet General Staff considers it possible, as its war games show, to reach the Rhine in 7 days.

The new NATO concept of forward defense is supposed to counter this calculation. In addition to the plan divisions yet be brought to full strength, mobile cover brigades are watching the border sections in the especially threatened north German plain. Their tactical mission includes repulsing smaller advances and providing enough time for deployment in case of attacks by operational (major) units.

The gain in time is necessary if only because the mobile NATO divisions in the Federal Republic which lack sufficient casernes and are so dispersed in the narrow territory of West Germany must deploy themselves on the front by risky side-to-side movements.

Mine fields are to block the naturally stronger border sections such as the U.S. regimental combat groups are free to maneuver.

Together with such advance guards and border forces, the NATO divisions are also supposed to halt, without atomic weapons, a heavier attack which the Russians make by conventional means and force the enemy to pause. This pause, during which the diplomats are to negotiate can, in an extreme

case, be brought about by a one-time atomic strike, tailored to the force of the attack.

Only if this selective strike does not have the desired effect, then the hour of retribution will take place.

The new NATO requirements for this forward defense which is covered by atomic weapons in the rear can be read in the fourth annex of the MC–96 plan directive. Their period of effectiveness is from 1964 to 1970, and the Atlantic Council will decide the active composition of this plan in December for the first 3 years of this period.

The new directive which requires more money and soldiers from all NATO governments for the increase of conventional forces places the following demands on the organizational structure and strength of the West Germany Army:

(a) Four mechanized "cover brigades" with strengthened reconnaissance and sapper battalions in addition to the 12 planned divisions.

(b) Expansion of the paratroop division (up to now only two weak brigades) so that they could be used as an armored infantry division.

(c) Actual strength of all mobile units to be over 100 percent so that it can be combat ready in a few hours, even without those away on orders, leave, or sick.

Only after Minister of Defense Strauss had approved this program, even though with some reservations did he have the detailed positions calculated. The leading staffs of the Federal Army went to work with slide rules and strength indicator tables.

The result: The actual strength of the Federal Army—today numbering 375,000 men—would have to be increased from the originally planned and not yet achieved 500,000 men to 750,000 men if all NATO demands and all national aims for partial armed forces, including a personnel reserve for the medium-range rockets which Strauss wants so much, are to be fulfilled. This would be more soldiers than prior to the mobilization in 1939. The Defense Minister used this tremendous figure when he attacked the Americans publicly for their planning, even though no such high demands were made by Washington or by NATO.

NATO knows that the Federal Republic cannot put up such a fighting force in the foreseeable future. There is a shortage of soldiers. There is a shortage of money.

The personnel situation critical from the very beginning, provides most of the headaches for the Federal Army organizers as is. The cadre for the officer and noncommissioned officer corps is insufficient. The planned positions in some companies are only half filled, particularly since officers and NCO's have to take one training course after another.

An overlapping calculation of the financial experts of the Defense and Finance Ministries showed also that a 750,000-man Federal Army together with Strauss' special missile wishes would swallow 30 billion marks annually, of which 3 to 4 billion alone would have to go for the German contribution to a European atomic power.

Federal Finance Minister Starke, however, made available to the Minister of Defense for the complete Federal Army of the future a maximum of 20 billion marks per year (1962, 15 billion; 1963, 18 billion).

The leading staffs of the army components thereafter submitted two more realistic calculation results:

A Federal Army of 580,000 men; financial costs, including missiles, would be 23 billion marks; without missiles, 20 billion marks.

A Federal Army of 500,000 men; financial costs, including missiles, would be 20 billion marks.

The first solution was especially supported by the leading staff of the army. With 580,000 men, including a personnel reserve of 20,000 for possible missile troops, the Federal Republic could meet NATO financial demands if superfluous items such as expensive Starfighters and destroyers were reduced.

Strauss discarded this suggestion by noting that: An atomic bomb is worth as much as a brigade and costs much less. We cannot allow ourselves a lowering of our standards of living and export. Nor do we wish to do without our right for rockets.

In his opinion to the Athens NATO Conference of May of this year, Strauss wrote: "I did not warn in vain in Athens against overestimation of German capabilities in this (conventional) area. We have made our conventional contribution. If conventional weapons must be strengthened, it cannot be done by us."

The Bonn Minister of Defense prefers to spend his budget funds on atomic weapons, rather than conventional brigades, even though within the framework of the 500,000 men the most urgent desires of NATO leaders for mobilization day units cannot be fulfilled.

Mobilization day units are units which can be combat ready in minutes (air force, missile troops, radar units) or hours (land and naval forces) without personnel or material complementation. Fallex 62 shows that the number of M–Day units must be large, because reserve units cannot be built up in time.

The German Minister of Defense thought he could meet NATO with a slight offhand trick. He wanted to balance the shortage of soldiers with a small atomic combat weapon—with the atomic grenade launcher Davy Crockett. Strauss did not let himself be disturbed in this by reports from his officers from Washington. To the question whether Davy Crockett might replace conventional artillery, the American Army General Staff replied laconically "by no means."

Nevertheless, Strauss ordered his staff to consider a new organization of troops. If each infantry battalion were to be assigned an atomic grenade launcher, could the division artillery be discarded and could the battalions be numerically reduced? In this way, it would be possible to meet the demands of the Atlantic Supreme Command for a higher readiness strength.

Strauss himself described the advantages of being equipped with a Davy Crockett grenade launcher: "There exists an American atomic combat field weapon with a very short range and of limited effect. A single shot of such a weapon is equivalent to 40 or 50 salvos of an entire division of artillery."

Washington promptly rejected Bonn's rearmament ideas. The German divisions would completely lose their ability to fight conventionally if the ideas were put to effect. The Minister's reorganization plans met resistance even in the Bundeswehr. Only in the staff of Inspector General Foertsch and his own personal staff did Strauss find supporters. Military Journalist Adelbert Weinstein, always carefully briefed officially, revealed the following in the Frankfurter Allgemeine Zeitung: "A successor (to Minister Strauss) would by no means find only modern officers in the Federal Armed Forces. Besides General Heusinger and Inspector General Foertsch only a few support the military policy of Strauss unreservedly."

The front line at Bonn, which Strauss-expert Weinstein outlined, runs roughly between the members of the directing staff of the Federal Armed Forces on the one hand and those of the Army on the other. The conflict bears the features of the historical dispute between the high command of the Armed Forces (OKW) and the high command of the army (OKH) in Hitler's time.

In those days, the OKW, catered to and favored by Hitler, took more and more power away from the OKH. Today the Federal Armed Forces staff, in the wake of the similarly vacillating Defense Minister, unreservedly accepts his military policy and defends it with Strauss-like verve.

The Minister's robust press Colonel Schmueckle went to bat in the Stuttgart week "Christ und Welt" against the American theoreticians of the new NATO strategy: "With their secret craving for war, these authors become the victims of the strangest fancies. They render the new picture of war in Europe innocuous and cover it over with the counterfeit varnish of conventional warfare."

Schmueckle sent the following remarks to the address of the comrades in the West German Army: "The [American] philosophers are supported by military men who, with all their power, still cannot grasp the mission of the Army in the atomic age and whose immovable memories are continually occupied with the fighting tank and encirclement battles in the style of World War II. Oh, the mighty dreams of these men of the old laurels."

For nights on end they argued in the casinos of the military schools and the field battalions. Lt. Col. Count Bernstorff, teacher of tactics at the army officers' school in Hamburg, asked Army Inspector Zerbel to reply to Schmueckle, but Strauss' press colonel is untouchable. And Count Bernstorff resigned from the service.

Colonel Karst, specialist in training in the Ermekeilkaserne at Bonn, sent the newspaper Christ und Welt a rejoinder to Schmueckel's pamphlet; the principal point made in the criticism was that Schmueckle's tone was unseemly. The editorial office refused to accept it.

Karst turned over his article to the inspectors of the army, air force, and navy, and also to Inspector General Foertsch, who, during his period of service with NATO, had opposed giving preference to atomic weapons.

However, Federal Armed Forces Inspector General Foertsch had altered his beliefs. In the NATO high command, Foertsch, while doing precise general staff work, had recognized that forward defense based on conventional ideas of warfare gives more security than the untrustworthy terror of atomic weapons, and for West Germany before a good many others.

Friedrich Foertsch, having been Inspector General of the Federal Armed Forces since April 1 of last year, could not resist the vehement glibness of his supreme commander for very long any more. Unwearied, Franz-Josef Strauss attempted to persuade American Secretary of Defense McNamara to be satisfied with 500,000 German soldiers when they talked in early June of this year in Washington. But the American had long ago discovered that the Germans would not come up to the number of divisions and brigades at full war strength demanded by NATO with that number of troops.

The American was vexed. As a substitute, Strauss offered some other elements, specifically border-security units, which consist of an active cadre and would be brought up to strength by reservists in case of war. McNamara, on the other hand, considered such units only makeshift.

Six weeks later U.S. President Kennedy appointed his military adviser to the position of Chief of the Joint Chiefs of Staff and announced the retirement of General Norstad. General Taylor had resigned in 1959 from his position as Chief of Staff of the U.S. Army (an action unimaginable in the Hitler army as well as in the West German Federal Army) because he could not force through his "strategy of flexible reaction" against the official doctrine of massive (atomic) reprisal of the Republican Eisenhower era. And just at that time the American NATO Commander in Chief Norstad had shown an understanding for the desire of the Europeans for an autonomous NATO atomic power. The new Democratic U.S. President Kennedy has reproved Norstad: "Remember that you are an American."

When Kennedy proposed the relief of Norstad from the NATO Supreme Command simultaneously with his appointment of Taylor as Chief of the Joint Chiefs of Staff, Bonn's Defense Minister sounded the alarm. The change in personnel was for him a welcome opportunity to protest against the new NATO demands that had been levied 9 months earlier and to have his veto confirmed by German public opinion.

Disregarding the warnings by West German Foreign Minister Schroeder, by Foreign Minister State Secretary Carstens, and even by Carstens' friend Schnez, Chief of Staff of the West German Army who until then had been a faithful supporter of the Minister, that he should not strain the relationship with Washington, the Minister (Strauss) began a campaign against the military policies of the Kennedy administration.

In an interview with Weinstein, Strauss declared that the Western divisions could only be strengthened through the assignment of tactical atomic weapons of the Davy Crockett type. With the modern weapons, deterrence would begin at the most advanced line. In contrast to this, U.S. Secretary of Defense McNamara stated: "We must be able to meet situations in which an atomic counter-attack is either unsuitable or simply incredible."

In addition, Strauss opposed the American concept that even the smallest atomic weapon on the Western defense line along the Iron Curtain could unleash the great world war. He hinted that he regretted not to be able to act as De Gaulle did, who "in practice simply ignores American concepts."

McNamara had said that in certain situations conventional divisions by themselves could prevent war. Strauss found this judgment to be open to challenge—particularly since not 30, but 60 to 100, divisions would be required for this, which no one could afford.

According to McNamara, large atomic weapons are used in a great war preferably against military targets. According to Strauss, this contradicts "the essence of the atomic bomb which is a political weapon used to increase the fear of the population of a bombardment."

Strauss' demagogy exasperated the Americans; it shocked the Germany Army generals. The declaration by the West German Defense Minister that 60 to 100 divisions would be required in West Europe for deterrence was not accepted by the military. General Heusinger and General Speidel as well as Maj. Gen. Mueller-Hillebrandt, Foertsch's successor, agreed that 40 divisions are sufficient if these units are kept in a state of combat readiness. Money is available for this if Europe, including West Germany, is willing to renounce the expensive rocket rattling.

In order to make this renunciation plausible and to allay the fear of the Europeans of Soviet rockets, McNamara had declared: "The United States is just as concerned about that part of the Soviet atomic striking power that can reach Western Europe as about the part that can also reach the United States. We have placed the atomic defense of NATO on a global basis." The American Secretary is a proponent of a division of labor within the Western Alliance which is to save money.

Nonetheless, Strauss insists upon his rockets and decided, contrary to NATO requirements, that 500,000 men were sufficient.

On July 17, accompanied by Inspector General Friedrich Foertsch, Franz-Josef Strauss reported to Chancellor Conrad Adenauer in the Schaumburg Palace. Strauss obtained Adenauer's approval of these new plan figures.

The games with numbers played by the Defense Minister, above all his offer to spare the Federal budget, persuaded the Chancellor. General Foertsch supported the Minister with strategic technical expertise. Adenauer showed his appreciation with the suggestion of simply replacing the missing brigades by "pins on the map." It did not seem so important that these brigades would not be ready until 1966 or 1967. But one ought to keep up one's appearances vis-a-vis NATO.

Commander in Chief Strauss and his Inspector General marched off satisfied. The results of Fallex 62 were not yet available. The latter makes it clear that a forward defense by the West German Army is impossible with rockets in the place of brigades and with atomic grenade launchers in place of soldiers, and effective deterrence remains questionable.

FPC COMMISSIONER SPURNS SECOND TERM

Mr. MORSE. Again I wish to say to my good friend from Arkansas that I am deeply appreciative of his courtesy in yielding to me.

Mr. President, turning to the last matter, there appeared in the Washington Post of this morning, in Drew Pearson's column, under the heading "FPC Commissioner Spurns Second Term," an account of the forthcoming resignation of Mr. Howard Morgan, one of the Commissioners on the Federal Power Commission, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Jan. 25, 1963]

FPC COMMISSIONER SPURNS SECOND TERM

(By Drew Pearson)

Seldom has a Commissioner of a powerful regulatory body told the President he will no longer serve on a Commission which regulates the gas, oil, and electrical industry of the Nation.

However, Howard Morgan of the Federal Power Commission has just written such a letter to President Kennedy. He has declined reappointment as a Commissioner and has said flatly that the President has not lived up to his promise to appoint men who have the interest of the American consumer at heart.

The Federal Power Commission is the only regulatory agency to which Kennedy has appointed five new members. With every other Commission he has had Republican holdovers. But, owing to death and resignations, he has appointed every man to the agency which regulates the gas pipelines and the big power companies.

However, Commissioner Morgan has made it clear in talks with Western Senators that the Commission is stacked in favor of the oil, gas, and power companies.

"I did not come to Washington to be kept busy writing dissents," he has told western Senators.

Commissioner Morgan expressed his regret over this fact and recalled that men like Senator George Norris, of Nebraska; Hiram Johnson, of California; and Gifford Pinchot, the Bull-Moose Governor of Pennsylvania, had crusaded and sacrificed to write a great law protecting the American public only to have it sabotaged by the appointment of personnel who did not believe in enforcing the law.

ELECTION PLEDGE

During the presidential campaign, Mr. Kennedy was highly critical of the Eisenhower policy of appointing industry-minded men to the regulatory commissions. And at Wittenberg University, Springfield, Ohio, on October 17, 1960, he made a ringing pledge that his appointees to the regulatory agencies would represent the public.

"No Federal appointee to any public regulatory agency shall represent any view other than the public interest," pledged the future President. "Appointments to such agencies shall be made with the advice of those knowledgable in the field, but shall not be dictated by those with vested interest in the appointment."

However, Commissioner Morgan, who formerly served as the Public Service Commissioner of Oregon, has turned out to be the only Kennedy appointee to the FPC who has consistently bucked the utilities.

For, once Mr. Kennedy was elected, he appointed Lawrence J. O'Connor, a Texas oilman, to the Commission; also Harold Woodward, a Chicago utilities lawyer who had represented public utility cases while serving as assistant commissioner of the Illinois Commerce Commission (under Federal practice this would be a conflict of interest).

Joseph Swidler, former member of the Tennessee Valley Authority, whom Mr. Kennedy appointed as FPC Chairman, has reversed his previous public power position and has voted consistently with the power, gas, and oil interests.

When the Commission voted to require the giant El Paso Natural Gas Co. to refund rate increases which El Paso had put into effect without official approval, Chairman Swidler held up the final opinion 3 months trying to make up his mind. He wanted to vote a refund of only $44 million. Commissioner Morgan held out for a $68 million refund, got the support of Commissioner Charles R. Ross, the Vermont Republican, and after 3 months' delay, Chairman Swidler finally came around to their figure.

But in case after case involving electric power companies the decisions have been 4 to 1 with Commissioner Morgan dissenting.

That's why Morgan has written his letter to the President declining to accept reappointment for another term.

Mr. MORSE. The story states that the Commissioner consulted with Western Senators. I am satisfied that is true. I do not know what took place in the consultation with other Senators, but in his consultation with me I gave no advice, pro or con, as to what course of action he should follow, because he asked for no advice. He is a man of such great ability that it would have been gratuitous for me to offer advice not asked for. But, after reading Drew Pearson's account about this matter in the paper this morning, I would have to say it is an accurate account.

Speaking for myself, I also wish to say that I am keenly disappointed in the trends in the Federal Power Commission that have developed under Chairman Swidler, for I do not think there is the conception to the degree there ought to be that the rivers of America do not belong to the private utilities; they belong to the American people.

The great multiple damsites should be used to locate on them great multiple-purpose dams belonging to the people. I would have Mr. Swidler and his colleagues on the Federal Power Commission, also understand, that great transmission lines taking the power away from these people's dams should belong to the people and should not be sold out—and I care not what the legerdemain may be in the rationalization—to the private utilities of the country. It

does not mean that the senior Senator from Oregon, under any set of facts, does not recognize the contracts with private utilities might be in the best interest of both the people and the utilities. However, I repeat what I have been heard to say so many times in the last 18 years that when it comes to low-head damsites, I am for the dams as such sites being built by the private utilities; but that when it comes to multipurpose damsites, as my late colleague, Senator Richard Neuberger, so descriptively put it, I do not believe in the taxpayers buying the cow and letting the private utilities milk her.

As I have followed the trends within the Federal Power Commission under its present Chairman, I am not surprised that this great citizen of my State, who made a brilliant record as our Public Utilities Commissioner, is announcing that he is not going to accept reappointment to the Federal Power Commission.

I hope that this will not lead to the beginning of a great controversy within this administration in connection with the development of the power resources of this country, but it is only fair for the senior Senator from Oregon to point out here and now that if it does, and the policy of the administration is not to protect the people's interest and the people's property, the senior Senator from Oregon will be with the people and not with the administration.

Undoubtedly, from time to time, in the future it may be necessary for me to spell out in greater detail all of the implications of the remarks just made, and all concerned will find me ready to do it, if it becomes necessary.

ORDER OF BUSINESS

Mr. SYMINGTON. Mr. President, will the Senator yield to me for a unanimous-consent request?

Mr. McCLELLAN. Mr. President, I shall be most happy to yield to my distinguished colleague from Missouri if I may do so without losing my right to the floor and without impinging upon the unanimous consent which has permitted me to proceed as I have proceeded up to this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. I thank the Senator from Arkansas, and I thank the distinguished Senator from Oregon for his courtesy.

COMMITTEE MEETING DURING SENATE SESSIONS NEXT WEEK

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Committee on Armed Services be permitted to meet next week during the sessions of the Senate.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Missouri? The Chair hears none, and it is so ordered.

RECESS UNTIL 10 O'CLOCK ON MONDAY

Mr. McCLELLAN. Mr. President, if no other Senator desires to transact business this evening—and I pause a moment—no one has so indicated—in accordance with the previous order, I move that the Senate stand in recess until 10 o'clock on Monday.

The motion was agreed to; and (at 5 o'clock and 14 minutes p.m.), under the order previously entered, the Senate took a recess until Monday, January 28, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 25 (legislative day of January 15), 1963:

IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Aaron, Harold R., O26207.
Abernathy, William C., O37308.
Adams, Harold D., O37281.
Adie, John R., O47634.
Agers, Robert D., O40905.
Albright, Charles R., O36502.
Aleveras, James A., O25835.
Alexander, George L., O26021.
Alfano, Charles F., O25640.
Ancker, Jack P., O37217.
Anders, Charles T., O36679.
Anderson, Edward G., Jr., O36391.
Anderson, Gordon V., O47345.
Anderson, John V., O36984.
Anderson, Jonathan W., Jr., O25820.
Anderson, Ralph W., O36305.
Antonioli, Virginio L., O25663.
Aquilina, Raymond F., O36782.
Archer, Theodore W., O48383.
Ardery, Edward R., O25503.
Armentrout, George C., O47412.
Arms, Thomas S., Jr., O24996.
Armstrong, John W., O25686.
Arnold, William E., Jr., O36388.
Arthur, Robert E., O40968.
Askey, Robert F., O47707.
Atkinson, Quintus C., O26317.
Austin, George A., Jr., O25420.
Baatz, David C., O41048.
Baden, Robert E., O25671.
Baen, Spencer R., O27005.
Baldwin, Clarke T., Jr., O26037.
Baltes, Paul A., O39285.
Bammer, Wyndham H., O36903.
Barber, Henry A., 3d, O25568.
Barber, Robert K., O36728.
Barkovich, Anthony, O54530.
Barner, John H., O36700.
Barnett, William W., Jr., O46540.
Barnhart, Frank H., Jr., O36516.
Barrett, Laurence O., O36652.
Barrios, Willie W. J., O36748.
Bass, Roy H., Jr., O39311.
Bates, James M., O36565.
Batson, Richard T., O25434.
Baughman, Claude G., O37173.
Beem, Samuel M., O54685.
Beightler, Robert S., Jr., O25642.
Bell, Benjamin C., O48708.
Bell, John C., O25937.
Bellino, Joe O., Jr., O41047.
Bennett, Edward E., O25463.
Benson, Charles E., O26263.
Benson, Joseph W., O25601.
Berenzweig, Marvin J., O25811.
Berger, Casper, O41052.
Berte, Samuel C., O48711.
Betts, George, O26204.
Betts, James A., O25891.
Bibby, William L., O26276.
Bielecki, Edward J., O25465.
Black, Garland C., Jr., O26106.
Black, Joseph E., O39268.
Blackburn, William W., O34244.
Blackwell, John L., O36378.
Blake, Robert T., O25837.
Blakely, Larry A., O36426.
Blanchett, Leo M., Jr., O25585.
Blatt, Raymond C., O26186.
Bliss, Arthur McC., O36852.
Bloecker, Victor, Jr., O41058.
Blount, LeVerne E., O25939.
Blum, Charles K., O36898.
Blume, Robert F., O37024.
Boatner, Mark M., 3d, O26248.
Bockoven, Frederic T., O37354.
Bogan, Lucian D., Jr., O25810.
Boller, Quellen D., O26050.
Bolling, Alexander R., Jr., O26066.
Bond, John B., O26077.
Botts, Luther B., O36752.
Bowden, Henry C., Jr., O47536.
Boyd, William H., O37205.
Boyea, Gerald E., O37258.
Boyer, Richard J., O37202.
Boyle, Harry F., O39258.
Boyle, Joseph F., O26347.
Brabson, William H., Jr., O26069.
Brady, John S., O26064.
Brandt, Roland A., O25901.
Branson, Roy E., O37149.
Breitenbach, Frank P., O26365.
Bressler, Howard E., O40967.
Brier, John K., O26185.
Bright, Charles W., O37159.
Brill, Heber C., O26162.
Brinson, Arthur, O47740.
Briscoe, William T., O54688.
Britt, Robert C., O54425.
Brookreson, Wade Y., O35588.
Brooks, Waldo W., Jr., O54679.
Brown, Luther E., O27054.
Brown, Stephen O., O26105.
Bruce, Oliver H., O46926.
Bryant, Robert E., O54484.
Buchanan, Earl W., O36352.
Buchanan, Russell B., Jr., O37291.
Buell, Kenneth E., O25772.
Buelow, Wallace R., O36319.
Bugg, George G., O26175.
Burdett, Allen M., Jr., O26048.
Burlin, Robert B., O25484.
Burr, Charles H., Jr., O25758.
Burr, Edward, 2d, O26009.
Burrows, Robert E., Jr., O25918.
Burt, William A., O36940.
Buth, William H., O54312.
Butler, James W., O54157.
Butler, John L., O40980.
Butterfield, John L., O26194.
Buzalski, Ernest A., O25906.
Byrne, Robert G., O36854.
Byrnes, Laurence G., O54163.
Bzdek, Beverly M., O39269.
Cabassa, Jaime L., O48569.
Cain, James W., O26208.
Calnan, William M., O26120.
Calvert, Ross H., Jr., O47933.
Camp, Eugene C., O37072.
Campbell, George T., Jr., O26084.
Canning, Austin J., Jr., O26277.
Cantlay, George G., Jr., O25979.
Caple, Dayton F., O49054.
Carey, Robert E., O47519.
Carroll, Benjamin L., O37321.
Carter, Hamlet R., Jr., O26134.
Carter, William C., O54761.
Carter, William C., O37290.
Cawthra, James H., O36981.
Challen, Henry G., O40902.
Chance, Francis A., Jr., O36784.
Chapin, Neil McK., O55006.
Chase, David M., O26212.
Chase, James E., O47642.
Chaufty, Joseph V., O25969.
Chessnoe, Michael, O48968.
Chmar, Paul, O37640.
Christy, James V., 25909.

Churchwell, Alvin McL., O41055.
Clark, Howard L., O40928.
Clark, Lyman H., O37019.
Clark, William K., O41001.
Cleary, Edward R., O26304.
Cline, Charles L., O36543.
Coady, Gerald G., O54223.
Cobb, James J., O25629.
Cobb, John H., Jr., O26233.
Cobey, Earl J., O54909.
Cochran, Collins L., O40964.
Cochran, John H., Jr., O54787.
Cochran, John H., Jr., O26115.
Coffman, Howard B., Jr., O25941.
Cole, Caleb A., O26171.
Cole, Charles B., Jr., O39304.
Collins, John W. 3d., O26079.
Conard, David B., O25885.
Conarty, Roger L., O26067.
Conmy, Joseph B., Jr., O25645.
Connolly, George I., Jr., O36666.
Conway, Lewis W., O37021.
Cook, Robert M., O25690.
Cool, William C., O54108.
Cosgrove, Gerard V., O25683.
Cover, William W., O26287.
Cox, Charles T., O36699.
Creighton, James R., O36498.
Croonquist, Arvid P., Jr., O25639.
Crowe, Robert E., O47805.
Cullinane, Daniel B., Jr., O26145.
Cumbie, Walter P., O54718.
Cunningham, Hubert S., O39303.
Cunningham, Robert K., O37120.
Curry, James A., Jr., O54865.
Curtin, Paul J., O26361.
Curtis, Elbert R., O36547.
Curtis, Wesley J., O25792.
Dabinett, John T., O47114.
Dadisman, Chester E., O36497.
Daley, Edward J., O36418.
Dalrymple, Robert C., O39100.
Danforth, Robert D., O26081.
Darden, James R., O26142.
Davenport, Robert J., O26089.
Davidson, Shirley, O37122.
Davis, Eldon R., O36771.
Davis, Paul A., Jr., O36887.
Davis, Paul W., O36375.
DeBrocke, William P., O25986.
DeCamp, John T., Jr., O26040.
Deadwyler, William H., Jr., O36298.
Deaver, John Q., O54765.
Dehner, Vernon E., O37147.
Dennison, Robert C., Jr., O49010.
Des Jarlais, Robert W., O47377.
Dettmar, Henry G., O37117.
Dickenson, Robert L., O53199.
Dickinson, Charles W., O26033.
Dickson, Jean H., O36606.
Dirkes, Francis J., O25887.
Doerfler, Eugene A., O37211.
Dollard, Edmund J., O47369.
Donahue, Franklyn W., O41071.
Donahue, Patrick H., O34885.
Donaldson, Thomas Q., 4th, O25480.
Donnelly, Ross I., O36533.
Doran, Edward A., O25782.
Dornacker, Charles H., O36370.
Doyle, Pierce A., Jr., O24891.
Dozier, William T., O48008.
Dryer, Charles W., O86087.
Dudley, Robert L., O33746.
Duffy, Jack W., O37349.
Duke, Robert C., O36697.
Duke, Thomas A., Jr., O37062.
Dunn, James E., O36137.
Dunstan, Henry V., O40953.
Dunwoody, Harold H., O26197.
Durbon, Roy C., O37219.
Duvall, Clifford P., O39270.
Dwan, Robert D., O26052.
Dworak, John L., O25757.
Dysinger, William C., O54976.
Eager, George, Jr., O36766.
Earnest, Clyde T., O25923.
Eddy, George G., Jr., O54991.
Edrington, Bethell, Jr., O26329.
Eisler, Walter J., Jr., O36919.
Ellingsworth, James B., O47793.
Elliott, Howard D., O25445.
Elliott, Mayo J., O26179.
Erdman, George W., O37350.
Ernst, Russell W., O37256.
Evans, Edward J., O37374.
Ewald, William, O36949.
Falck, William D., O25893.
Farley, Clare F., O25915.
Farnsworth, Frank A., O37216.
Faust, Edmond L., Jr., O25450.
Field, Kenneth S., O36932.
Files, Vernon, O37086.
Finlayson, Harold C., O41028.
Finney, Perry S., Jr., O48263.
Fischgrund, Harold S., O37183.
Fishback, Jesse LeR., O25858.
Fiss, Romert E., O25511.
Flanagan, John J., O47734.
Flatley, Thomas W., O25638.
Flint, Robert P., O40921.
Fox, Ogden R., O47943.
Fraleigh, Charles S., Jr., O36862.
Francisco, Louis S., O26280.
Frank, Fred J., O54078.
Fraser, Bruce H., O37276.
Frauenheim, Walter G., Jr., O48978.
Frazier, Frank W., O37085.
Fredericks, Edgar J., O26302.
Freer, Arthur L., O25451.
French, Jack S. O48380.
Fritz, William H., O25620.
Fromme, Robert J., O39246.
Fry, Ernest M., O48666.
Fuller, Ellis L., O37366.
Fuller, Hiram G., O25936.
Fulmer, John M., O47846.
Gardner, Ralph V., O39236.
Garten, Melvin, O48990.
Gean, Kirby A., O25588.
Geaney, Edward J., Jr., O26328.
Geelan, William R., O40963.
Gehring, Frederick R., O36462.
Gibson, James McK., O48730.
Giffin, Stewart S., Jr., O26342.
Gilbert, Harold N., Jr., O37307.
Gilbert, Stanley K., O47926.
Giles, Warren A., O37874.
Gingrich, Harold W., O26076.
Glasgow, William M., Jr., O25905.
Glendening, James K., O26176.
Glick, John R., O48877.
Glickson, Solomon P., O54079.
Glisson, Roy, Jr., O37078.
Glotzbach, Edgar N., O27011.
Goggans, Robert, O49051.
Gohmert, Roland L., Jr., O35402.
Goldenthal, Mitchel, O25482.
Goodlett, John G., Jr., O54600.
Goodman, Glenn W., O54171.
Goodman, Jess L., O47795.
Goodwin, James W., Jr., O53694.
Gorman, Vincent J., O41019.
Gordy, Stephen E., O26125.
Gossett, Henry M., O36941.
Grace, Arthur B., Jr., O25498.
Grady, Ronan C., Jr., O25985.
Gray, Thomas E., O47851.
Green, George E., O40983.
Greene, James F., Jr., O25900.
Greenlief, Dale R., O36476.
Greenwalt, William J., O25998.
Grice, Thorpe C., O26326.
Griess, Thomas E., O25533.
Griffin, Bobbie A., O25908.
Grimm, Henry F., Jr., O25519.
Groom, Kenneth G., O54786.
Grunzweig, Nicholas J., O47845.
Hahn, William R., O25566.
Hakala, Robert W., O48852.
Haley, Norman R., O36911.
Hall, Alphus W., O54490.
Hall, Chester A., Jr., O48018.
Hall, Claude H., O47794.
Hall, Frederick W., O47574.
Hallock, Richard R., O37367.
Hamblen, Archelaus L., Jr., O26187.
Hand, Robert, O36415.
Handley, George E., Jr., O37294.
Hanifen, Thomas J., O40926.
Harding, Leslie B., O25512.
Hardy, Leslie B., O26003.
Harrigan, William F., O36438.
Harris, Elva, O36714.
Harth, John F., O36997.
Hash, William A., O36625.
Hastie, William L., O54089.
Hatch, Robert F., O54234.
Hawkins, Walace E., O40969.
Hawthorne, Frank, O54194.
Hayes, Leo V., O26213.
Head, Harold S., O26272.
Hecker, Warren R., O26292.
Helms, Kenneth R., O37023.
Helsley, Llewellyn S., O36900.
Heltzel, Charles L., O25746.
Henderson, Chester T., O39274.
Henderson, Tony S., O39279.
Henry, Gregg, O25574.
Hensel, William E., O25531.
Herold, John W., O36548.
Herres, Fred W., Jr., O25996.
Hershey, Charles G., Jr., O37364.
Hiatt, Charles R., O37099.
Higgins, James L., O36306.
Higgins, Joseph P., O48665.
Hill, Ralph J., O26127.
Hochella, Michael F., O36480.
Hoffman, Ralph W., O36786.
Hofmann, Ralph M., O25495.
Holder, Leonard D., O37267.
Holland, William E., Jr., O48873.
Holman, Jefferson T., O36987.
Holmes, Robert M., O26110.
Holt, John B., Jr., O48996.
Hood, Burton F., Jr., O25729.
Hoplin, Herman P., O36975.
Howell, Samuel W., Jr., O24989.
Huck, Terence W., O36513.
Huddleston, James MacL., O25554.
Hughes, Algin J., O25630.
Hughes, Clyde E., O48881.
Humphrey, Charles VonB., O40945.
Hunnicutt, John O., Jr., O36380.
Hunt, Herman T., Jr., O26053.
Hunter, William L., O49016.
Hutchin, Walter J., O25916.
Hyde, John F., O36905.
Hyle, Archie R., O37271.
Ingle, Paul T., O37329.
Ingwersen, Glenn P., O25993.
Inman, Lloyd J., O36274.
Ippolito, Charles J., O37208.
Ireland, Thornton E., O37325.
Isaacs, Alvin C., O48816.
Ivan, Gabriel A., O25865.
Jackson, Joseph J., O39265.
Jackson, Kenneth E., O36349.
Jalbert, Donald J., O26309.
James, Lee B., O25619.
Jeffries, John H., O36427.
Jemmott, Arthur H., O37043.
Johnson, Earle A., Jr., O26211.
Johnston, William R., O47363.
Jones, Alan W., Jr., O25868.
Jones, Charles M., Jr., O25890.
Jones, Dearl F., O48423.
Jones, Harry L., Jr., O48397.
Jones, Ralph K., O26123.
Jones, Russell G., O37213.
Jones, William M., O37209.
Kadel, Edgar R., Jr., O35801.
Kajencki, Francis C., O25582.
Kapp, Ronald A., O37070.
Karnes, Howard L., O36515.
Karrick, Samuel N., Jr., O25446.
Kasserman, Harold W., O48070.
Katz, Sidney, O26327.
Kauffman, Eldeen H., O39257.
Kaufmann, Paul R., O36377.
Keating, William J., O36503.
Keene, Leonard L., O36529.
Kellogg, Dimitri A., O25433.
Kelly, John J., Jr., O25869.
Kelly, Randall, O47876.
Kemp, Herbert E., O25742.
Kendall, Maurice W., O27003.
Kengle, Lansford F., Jr., O25975.

Kennedy, Arthur H., O39300.
Kennedy, Richard T., O48390.
Kennedy, Stanley Y., Jr., O37179.
Kennedy, William M., O36640.
Keown, James L., O36528.
Kerr, Gerald L., Jr., O41033.
Kidd, William T., O48216.
Kidder, James D., O26227.
Kinnes, Ralph, O36800.
Kirchner, Alfred W., O36559.
Kissam, Richard V., Jr., O36339.
Kittrell, William S., O49082.
Klekas, Louis J., O54888.
Klie, Harry K., O47792.
Koch, Bruce C., O25947.
Koenig, William A., Jr., O40906.
Kolb, James T., O47708.
Kolesar, Armand M., O36783.
Kranc, Robert T., O36667.
Kreml, Edward A., O26283.
Krieger, Mervin, O49000.
Kruger, Richard O., O36575.
Kuffner, John E., O25602.
La Chaussee, Charles E., O37164.
La Patka, Thomas M., O36646.
Lacouture, Arthur J., Jr., O26240.
Ladner, Gerard J., O37143.
Lanen, William J., O36907.
Langland, Lawrence Q., O39238.
Langley, Warren G., O55029.
Langstaff, James D., O26314.
Langston, Alex T., Jr., O55069.
Larned, Royce P., O55108.
Laughlin, Virgil V., O41059.
LeFebvre, Henry E., O36358.
Leach, James H., O48718.
Leach, Ross E., O54970.
Lee, Oscar W., Jr., O36670.
Lewis, Herbert S., O25734.
Lewis, Norman F., O48701.
Light, Morgan C., O36773.
Lindsey, Morris L., O40935.
Lingan, William J., O48851.
Linton, William C., Jr., O26140.
Lochrie, Wilmer R., O36936.
Lorck, Horace C., O36359.
Lothrop, James N., Jr., O26057.
Loughran, Joseph P., O37167.
Lovell, Herbert R., O39253.
Lowe, Horace A., Jr., O36857.
Lowe, Orville T., O36111.
Lucas, John P., Jr., O26159.
Lueck, William J., Jr., O36716.
Lundberg, George B., O25679.
Lundelius, Maurice W., O54864.
Lutz, Edwin M., O36755.
Lutz, George A., O37296.
Lutz, William D., O26018.
Magathan, Wallace C., Jr., O25861.
Maguire, Robert F., O37528.
Mahan, James J., O48988.
Mallory, Barton J., O25764.
Malone, William F., O26044.
Marks, Sidney M., O36977.
Marrero, John, O54297.
Martak, Clyde J., O54719.
Martin, L. D. Kirkwood, O37177.
Martin, Lawrence E., O47622.
Masenga, Robert C., O54101.
Mathe, Robert E., O25878.
Mattox, Robert H., Jr., O26316.
May, Marion H., O25576.
McArtor, William S., O47849.
McBane, Robert B., O48890.
McBride, Robert B., 3d, O37277.
McCabe, Edward F., O25926.
McCabe, John T., O37126.
McCanna, Robert L., O26047.
McCauley, Robert H., O36756.
McClain, Ralph E., O36661.
McCoy, Richard L., O36950.
McCoy, Robert G., O41003.
McCrory, Raymond J., Jr., O37146.
McDermott, William J., Jr., O48180.
McDowell, Charles T., O37309.
McDowell, Robert B., O25980.
McElwee, Frank D., O25409.
McGee, Dale F., Jr., O26253.
McGinnis, Morris D., O37232.
McGowan, John D., O25759.
McGuigan, William J., O36993.
McGurk, Donald J., O48078.
McKenzie, William H., 3d, O25929.
McLaughlin, Charles M., Jr., O37128.
McLendon, George P., O37133.
McLeod, Charles A., O27047.
McLeod, William E., O36374.
McMahan, Jack E., O37300.
McManus, Vincent J., O36334.
McMillan, William C., O54971.
McNary, Quentin L., O37212.
Merrick, Thomas L., O37132.
Metts, Albert C., Jr., O26091.
Myer, Richard H., O25872.
Michaelson, Franklyn J., O48532.
Milburn, Earl B., O48727.
Miley, William M., Jr., O37077.
Miller, James C., Jr., O25961.
Miller, Robert E., O54264.
Miller, Robert E., O37356.
Millhouse, Felix G., O36609.
Milligan, Jack A., O54586.
Milliken, William S., O41017.
Milmore, Charles W., O26045.
Milton, Ronald A., O54957.
Minckler, Rex D., O25581.
Mitchell, Arthur F., O36489.
Mitchell, John R., O25665.
Mitchell, Joseph A., Jr., O48753.
Mitro, Michael P., O54862.
Moe, George R., O26022.
Moneyhun, Joseph A., O48065.
Moore, Clayton H., Jr., O48625.
Moore, Robert D., O36329.
Moore, Roy, Jr., O37063.
Morgan, Henry G., Jr., O26305.
Morris, John W., O25992.
Moses, James R., O41035.
Moses, John G., Jr., O25528.
Moses, John W., O26170.
Mozingo, Roule C., O26274.
Mulligan, Tracy E., Jr., O54309.
Murphy, John T., O36776.
Murray, Charles P., Jr., O41057.
Murray, Edward H., O25730.
Murray, Paul Jr., O36982.
Myers, Frederick W., Jr., O54959.
Nash, James H., O26153.
Neafus, Holady C., Jr., O54544.
Neale, William D., O25755.
Nealson, William R., O34407.
Neill, Harold A., O26271.
Nelson, Oliver W., O37084.
Nethery, Donald M., O54988.
Nett, Robert B., O41070.
Newberry, Robert H., O39232.
Newbold, William M., O37538.
Newman, George E., O26015.
Nixon, Victor M., O47617.
Nobles, Lloyd E., O36865.
Nolte, Marvin C. O., O36763.
Norris, John J., O25713.
O'Connor, Joseph F., O36411.
O'Connor, William S., O54316.
O'Donnell, James J., O47982.
O'Halloran, John T., O55106.
Oppenhimer, John S., O36490.
Orphan, Richard C., O26039.
O'Sullivan, Michael N., O37162.
Ott, Edward S., Jr., O25860.
Page, Cecil W., Jr., O25723.
Pardue, Wallace D, O36413.
Parfitt, Harold R., O25914.
Parham, Douglas F., O26226.
Parker, Nicholson, O26193.
Pasta, Melvin J., O36713.
Patterson, James A., O36549.
Paul, Richard I., O36814.
Pavick, Pete D., O25699.
Payne, Otho C., O54764.
Peak, William O., 3d, O26025.
Peeples, Russell C., Jr., O36558.
Pehrson, Norman E., O25912.
Peixotto, James M., O47628.
Penuel, Victor B., Jr., O48015.
Perkins, Del S., O26016.
Perry, Benjamin E., Jr., O37328.
Peters, Emanuel P., O41006.
Peterson, Peter R., Jr., O47806.
Petrie, Glen E., O36827.
Peyer, Gustave A., Jr., O37207.
Pezdirtz, Joseph W., O36779.
Phillips, Henry G., O36383.
Phillips, James W., O26236.
Phillips, Steve F., Jr., O36624.
Pigg, Milton K., O26004.
Pinnell, Samuel W., O25880.
Plett, Robert E., O25924.
Plunkett, Hubbard T., Jr., O36991.
Powell, Donald F., O25762.
Prince, Altus E., O25714.
Pritchett, Harry H., Jr., O25705.
Proctor, Fred B., O25990.
Pruett, George J., O37054.
Pruett, Lloyd O., O39309.
Prugh, George S., Jr., O54092.
Raaen, John C., Jr., O25486.
Rader, Robert J., O25676.
Rasper, Arthur H., Jr., O26121.
Ray, Roger, O26035.
Ray, William J., O26139.
Reberry, Gerald V., O37359.
Reed, Charles S., Jr., O25944.
Reeder, Harry L., Jr., O26214.
Rhea, Frank W., O25876.
Rhoads, Edwin M., O25956.
Riccio, Joseph A., O25737.
Richardson, Donald H., O37160.
Richardson, Howard B., O36934.
Riffe, James L., O54861.
Roach, Harold K., O25626.
Robinson, Reaford L., O36774.
Rockwood, Charles A., O37293.
Rogers, Bernard W., O25867.
Rogers, Warren, O25913.
Romanek, Henry, O25911.
Romstedt, Gerhart O., O55056.
Roop, William B., O54199.
Roos, William F., O25982.
Roquemore, Frank U., Jr., O36712.
Ross, James T., Jr., O36931.
Rothbard, Leonard, O54051.
Rowan, John V., Jr., O47374.
Rudziak, Nicholas D., O47988.
Rumpf, Edward J., O26180.
Runte, Walter G., O36525.
Rush, Roger S., O47718.
Ruyffelaere, Raymond F., O25814.
Sadler Robert E., O36522.
Salter, Max D., O37037.
Sanders, Roy A., O25612.
Sandlin, William B., Jr., O36406.
Sawyer, Kenneth T., O25957.
Schatz, John P., O26224.
Schnebli, George A., O36639.
Schnelker, Gerald C., O36785.
Schott, John L., Jr., O40901.
Schraeder, Gordon A., O25896.
Schroeder, Henry J., Jr., O26028.
Schwalje, John M., O36430.
Scott, James M., O37201.
Seaman, Harold D., O36616.
Sebesta, Arthur J., O25644.
Seifert, Albert E., O24993.
Sells, Clarence K., O53600.
Sembach, Leon, O26007.
Sestito, Joseph B., O45893.
Sexton, William E., O48110.
Shadle, William J., Jr., O37262.
Shanahan, James G., O36322.
Sharp, Hunter L., O36523.
Sharp, Sam H., O54968.
Shaw, Charles R., O47789.
Shaw, Franklin P., Jr., O25492.
Shenk, Frank L., O37193.
Shields, Harry H., Jr., O54994.
Shipstead, Alton M., O26345.
Shirley, Joseph A., O25065.
Shoemaker, John O., O54351.
Short, David S., O36603.
Short, James H., O26242.
Shortall, John L., Jr., O25544.
Shultz, John J., Jr., O25550.
Sickler, Robert L., O37231.
Sieber, Harry F., Jr., O54161.
Smith, Chester M., O40993.
Smith, Dale L., O54616.
Smith, Daugherty M., O25717.
Smith, Ellsworth W., O48540.
Smith, Frank B., O25888.
Smith, James F., O37046.
Smith, Vincent P., O36499.
Soler, Eduardo M., O26020.

Sonstelie, Robert D., O26141.
Spahr, William J., O26177.
Spalding, Basil D., Jr., O26341.
Spann, Frederick C., O25561.
Spiece, Donald C., O25989.
Spiker, Robert C., O35972.
Sprigg, William H., O36318.
St. John, Adrian, 2d, O25583.
Stabler, Joseph P., O25647.
Stanford, Leslie E., O54587.
Steinbach, Alois L., O48109.
Stevens, Milton E., O25471.
Stevens, Wilmer B., O37079.
Stiles, Robert B., O27000.
Stockton, John B., O26152.
Stoeckert, George I., O36757.
Stroede, Roger A., O49045.
Strong, LeRoy, O48417.
Sullivan, Alden P., O41069.
Summerall, Robert E., O39314.
Sumner, Robert S., O36867.
Surkamp, Arthur T., O25935.
Surum, Henry, O36478.
Synnott, Donald A., O48542.
Taber, Eugene D., O47959.
Talbot, Max V., Jr., O26322.
Tallerday, Jack, O36346.
Tansey, Hubert E., O26031.
Tauber, Bernard L., O36715.
Taylor, Dale W., O36935.
Taylor, Noble E., O40924.
Taylor, Richard I., O36676.
Taylor, Warren L., O26068.
Teague, Jack, O26354.
Tenney, Duane P., O26000.
Therrell, John W., O40899.
Thomas, Jesse R., O36320.
Thompson, Howard M., O47399.
Thomsen, Frank L., O54615.
Thomson, Arington C., Jr., O54322.
Tillery, George G., O39267.
Tomlinson, William H., O26333.
Torgersen, Maxwell S., O37083.
Townsend, Delbert L., O41062.
Townsend, James M., O36089.
Townsend, Robert T., O48913.
Tucker, William O., Jr., O48880.
Tufts, Henry H., O54270.
Turrou, Edward A., O48222.
Umlauf, Louis B., Jr., O26338.
VanAuken, Wendell G., Jr., O26269.
Vaughn, Clarke S., O48868.
Veach, Fletcher R., Jr., O26301.
Venzke, Edgar L., O40979.
Vigen, Oscar C., O48256.
Vincent, Donato N., O36674.
Vognild, Alden E., O37080.
Vogt, Blaine O., O54699.
Volk, Karl W., Jr., O54596.
Vordermark, Jonathan S., O25917.
Voso, Edward J., O54117.
Wade, Arthur P., O25666.
Waid, Lewis C., O54314.
Waldie, James R., O36347.
Walker, Charles S., O48299.
Walker, Mansell A., O54889.
Walker, William J., O36551.
Wallschleger, William L., O48250.
Wardell, Patrick G., O25628.
Washcoe, Wilfred C., O36554.
Waters, Fred B., Jr., O25449.
Watson, Thomas R., O25718.
Watts, James H., O36348.
Webb, Travis E., O36509.
Wechsler, Ben L., O54528.
Weems, Miner L., O40999.
Wehrle, Howard F., O25454.
Weller, Irwin V., O36764.
Wells, Jack D., O48257.
Wells, Sidney L., O36810.
Welsh, William J., Jr., O26339.
Wesson, Thomas E., O37280.
Westbrook, Robert L., O37049.
Westmoreland, Raymond M., O36607.
Weyrick, Joseph W., O26294.
Wheeler, John P., Jr., O25824.
White, Arthur B., O54886.
White, John F., O25507.
Whitfield, Harold N., O41032.
Whitworth, Mancil R., O36563.
Wickert, Howard T., O26312.
Wiggins, Edward G., O36457.
Wikan, Walter W., O36512.
Wiley, Harlon R., O37082.
Wilhelm, Leland F., O48723.
Wilhelmy, John F., Jr., O37233.
Wilke, Robert G., O47408.
Wilkinson, Reading, Jr., O26257.
Williams, Albert S., Jr., O25374.
Williams, Harry O., O37184.
Williams, James E., O48104.
Williams, Louis A., O36161.
Williams, Paul R., O36707.
Wilson, Charles A., Jr., O25907.
Wilson, Gerald R., O36338.
Wilson, John M., O25556.
Wilson, Roy R., O25827.
Wilson, William M., O47616.
Wimert, Paul M., Jr., O48914.
Windsor, Thomas B., O25670.
Winfield, Richard M., Jr., O26117.
Wolf, Karl E., O26202.
Womer, Richard E., O36623.
Wood, Franklin, O26104.
Wood, John S., Jr., O25655.
Wright, David B., O54276.
Wright, Elam W., Jr., O37214.
Wright, Lucius F., Jr., O25966.
Wright, Raymond J., O36780.
Yoder, Quentin E., O48994.
Young, Crawford, O25984.
Young, Curtis F., O37305.
Young, James R., O37365.
Young, Maurice L., O36794.
Young, Ralph E., O26331.
Younger, Douglas G., O36945.
Yount, Harold W., O54875.
Zellefrow, Albert E., O40982.
Zuckerbrot, Irving, O36901.

To be lieutenant colonels, Chaplain

Fiser, James H., O89057.
Hunt, Frederick O., Jr., O76792.
Hutchins, Gordon, Jr., O31291.
O'Connor, William V., O78631.
Waldie, Thomas E., O80354.

To be lieutenant colonels, Women's Army Corps

Bradley, Sue T., L188.
Brecht, Helen F., L507.
Grant, Patricia E., L181.
Gray, Dorothy, L159.
Harris, Kathleen B., L145.
Hoisington, Elizabeth P., L164.
Janikula, Muriel J., L107.
McCormack, Betty T., L149.
McDonald, Mary G., L102.
Metzger, Hope, L174.

To be lieutenant colonels, Medical Corps

Bach, Sven A., O31319.
Bisaccia, Leonard J., O43238.
Blunt, James W., Jr., O96738.
Browning, Louis E., O56875.
Highsmith, Roy A., O70097.
Levens, Arthur J., O31283.
Lineberger, Ernest C., O31297.
Palmer, Eddy D., O43224.
Peczenik, Alois, O61181.
Pillsbury, Robert D., O52054.
Rumer, George F., O43234.
Severance, Robert L., O43235.
VanHoorn, Jacob Z., O88985.

To be lieutenant colonels, Dental Corps

Emory, Louis, O31274.
Frost, John R., O56870.
Monahan, James L., O74020.
Shumaker, Marsh E., O56878.

To be lieutenant colonels, Veterinary Corps

Chadwick, Ralph D., O31280.
Failing, Frank W., O31298.
Gleiser, Chester A., O31289.
Klett, Wilbert M., O52047.
Vacura, Gordon W., O31309.

To be lieutenant colonels, Medical Service Corps

Adams, Edward S., O56230.
Bates, Elvis E., O37577.
Blakeslee, Theodore, O56970.
Chitwood, Douglas C., O56248.
Clark, Jack K., O37524.
Crosby, Leonard A., Jr., O49967.
Devine, Joseph R., O37520.
DuMond, Paul A., O37607.
Evans, Robert D., O37568.
Fink, James L., O37604.
Gottry, Samuel M., O37544.
Graham, Harrold E., O37531.
Gwin, Jack W., O37598.
Hazelrigs, James A., O39345.
Holloman, Chester C., O41159.
Holt, John H., O37814.
Hoover, Thomas H., O37565.
Hrdlicka, Otto G., O37512.
Hughes, Robert L., Jr., O37591.
Julian, Russell E., O37590.
Kadrovach, Dan G., O37613.
Keating, Edward J., O37611.
Kerwin, Bernard F., O37567.
Kistler, Grover C., O49958.
Klodniski, Stanley F., O56946.
Knoblock, Edward C., O41158.
Kropp, Arthur J., O37561.
Lapiana, Joseph A., O56952.
Leary, John J., O56235.
Luehrs, William C., O37521.
Mathis, John E., O56251.
Munson, Jack W., O39349.
Normington, Joseph M., O41157.
Peters, George M., O37533.
Piercy, Clarence H., Jr., O37603.
Rajecki, Felix G., O37574.
Reich, Norman, O37516.
Rivas, Ernest G., O37543.
Ryan, Francis J., O56957.
Schmahmann, Lionel H., O37583.
Snelling, James H., O49927.
Snider, Albert H., O37493.
Specht, Murval F., O37558.
Spika, Howard J., O37593.
Stacey, Richard M., O41153.
Stock, William E., Jr., O37595.
Strobel, Edward M., O37584.
Thompson, Elmer L., O37513.
Valentine, Robert G., O37585.
Walsh, Glen M., O41156.
Waters, John F., 2d, O37605.
Wells, Floyd B., O37575.
Whitaker, Harry T., O37539.
White, William F., O37597.
Wisser, Nathan R., O37522.
Wood, Norman E., Jr., O37596.
Wrigley, John H., O41161.

To be lieutenant colonels, Army Nurse Corps

Best, Bonnie J., N489.
Caylor, Jennie L., N1290.
Donovan, Mary E., N301.
Jamula, Cecilia P., N485.
Johnson, Gladys E., N2201.
Kraftschenk, Dorothy E., N287.
LaPlante, Theresa S., N1917.
McNeil, Esther J., N2473.
Morse, Mary F., N860.
Newell, Nelly, N885.
Paulson, Isabel S., N1376.
Rourke, Rita V., N677.
Shadewaldt, Ruth F., N673.
Travers, Sadye T., N2478.
Williford, Sarah L., N1310.

To be lieutenant colonels, Army Medical Specialist Corps

Arduser, Helen M., M10097.
Binning, Marcel, M10011.
Parker, Doris L., R10018.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenants

Abel, Donald B., Jr., 089655.
Ackerman, Rene J., O92105.
Adams, James C., O92157.
Adams, Wilson R., O89403.
Agee, John M., O90103.
Allen, Cullen S., O89830.
Alling, James E., O89668.
Archer, C. A., O89686.
Ball, James W., O90099.

Banks, Thurston E., O89411.
Benca, John P., O96668.
Benedict, Louis J., O89718.
Bennett, Hugh C., Jr., O89720.
Bennett, Larry R., O95174.
Benson, Charles D., O89742.
Berthiaume, Paul D., O92622.
Billings, Barry B., O89728.
Bilyeu, Ronald E., O89729.
Bonner, John E., O94848.
Brennan, Patrick M., O96722.
Brent, John J., Jr., O89421.
Brown, Willie C., O89772.
Burgin, Charles McR., O96746.
Burley, Edward B., O94278.
Butler, Billy C., O89786.
Caraway, Lynn I., O91177.
Carr, Milton B., O89804.
Cassada, Thomas W., O94416.
Ciccarelli, John E., O91188.
Cooke, Charles B., O94063.
Cooper, Kenneth D., O95173.
Crinan, James R., O89856.
Curry, Emmitt L., O89865.
Curry, Weldon K., O89986.
Darby, Robert W., O90458.
Davis, Wayne G., O89460.
Dean, George A., O89461.
Dee, David D., O89462.
Demarest, Louis J., O89890.
Downing, David A., O88051.
Dubberly, Larry C., O89908.
Dupree, Gerald D., O89914.
Emmert, David C., O89475.
Erickson, Richard A., O89931.
Erlemeier, Lester A., O89933.
Fields, Clinton A., O91230.
Frerking, Joe A., O89971.
Gallup, Walter A., O95323.
Garland, Franklin P., O92492.
Gilliam, Taft R., O91247.
Graham, Richard A., O95325.
Green, Jimmy W., O90003.
Green, Norris B., Jr., O90004.
Grimmett, Norman D., O90007.
Hamilton, William L., O90025.
Harrington, William B., O95691.
Harrison, Robert B., O90038.
Hart, George W., O90041.
Hebert, Frederick J., O90049.
Henry, John F., 3d., O90059.
Heuver, Robert G., O91333.
Holbert, Billy W., O90078.
Hosford, Larry D., O93341.
Hubbard, Jerry A., O91279.
Jackson, Donald B., O90120.
Jeffords, James P., O96685.
Johnson, Ronald D., O90128.
Jones, Arthur M., O90132.
Jones, Dean C., O95563.
Jones, Joel D., O89518.
Kamerling, Richard H., O89974.
Kanouse, James W., O95344.
Keegan, Ambrose J., O92208.
Keller, John T., O90145.
Kimes, Harold G., O90152.
Kish, Francis B., O90156.
Kryzak, Raymond O., O89531.
Kutac, William D., O90175.
Lahde, Frank U., O91623.
Lanzotti, Robert E., O94101.
Laposata, Joseph S., O90183.
Lawson, Billy R., O90188.
Lemoine, Jarod J., O95657.
Leonard, Theodore J., O90196.
Linn, David L., O89540.
Lombardo, Roy S., Jr., O90209.
Love, Heilbron B., Jr., O89541.
Lozier, Gary O., O95066.
Luberacki, Robert J., O92469.
Luck, Gary E., O89543.
Marvin, Charles G., O95357.
Mashburn, Richard, Jr., O90241.
McBennett, John P., Jr., O90251.
McCown, John E., O90263.
McDade, Richard R., O90265.
McDonald, Philip R., O91328.
McDowell, James I., O90269.
McIlhaney, Richard G., O95297.
McKenzie, Horace, O90277.
McLeod, Ingram B., Jr., O91642.
McWilliams, Gerald V., O90283.
Mercurio, Joseph A., O90291.
Middleton, Robert D., O90300.
Morris, Jimmy R., O90317.
Mulvihill, William M., O92998.
Myers, Charles T., 3d, O92229.
Niblack, John F., O90342.
Nichols, Lester D., O90344.
Ohlendorf, George W., O90354.
O'Kane, Michael L., O90355.
Ostien, Douglas B., O90360.
Patten, Jerry W., O90370.
Payne, Larry C., O90374.
Pursel, Terry C., O90396.
Quickel, Jacob C., O89578.
Ralphs, William J., O92515.
Ramirez, Arnoldo R., O91489.
Rapp, Edward G., O90407.
Redd, Fred E., 3d, O90411.
Redden, Forrest R., Jr., O90412.
Regan, Patrick L., O90418.
Reiber, Carl F., Jr., O92758.
Riley, James M., O95381.
Roeder, Helmut A. G., O89843.
Roban, William P., O90440.
Schneider, David J., O90462.
Schollett, Frank A., O90463.
Schumpert, Gilbert H., Jr., O90472.
Schwarzenbach, Malcolm P., Jr., O90475.
Smathers, Sam T., O90495.
Smith, Curtis S., O89717.
Sodano, Guy R., O96720.
Sowell, James L., O90506.
Spitzer, Joel S., O96721.
Stocker, William L. R., O87393.
Stone, Byron C., O91522.
Sturek, Walter B., O90529.
Szabo, Richard M., O92812.
Teates, Bryan W., Jr., O92570.
Thompson, Richard A., O91527.
Washington, Charles C., O90584.
Weaver, James H., O90588.
Weir, David E., O89638.
Wells, Herbert D., O90595.
Weyland, Anthony D., O90597.
White, Jerry A., O95176.
White, Jerry D., O90600.
Wilbanks, Thomas J., O90607.
Williams, Samuel D., O90611.
Woodman, Lawrence L., Jr., O90625.
Worlund, Shyron L., O91543.
Wynn, Edward R., O90627.
York, Dennis J., O89651.
York, Donald, O90631.
Zaborowski, Lawrence P., O90633.

To be first lieutenant, Women's Army Corps

Albright, Barbara L., L611.

To be first lieutenants, Medical Service Corps

Barnes, Walter, Jr., O90167.
Brown, Wallace J., O94916.
Burn, Joseph J., Jr., O94572.
Greene, Frederick L., O90005.
Houston, William E., O91701.
Lanham, Richard H., Jr., O94313.
Lanier, Jack O., O94605.
Lassiter, Charles S., O89556.
Marine, Wayne E., O95248.
McLaughlin, Wayne M., O90279.
Mendell, James M., O90290.
Powell, Larry G., O90391.
Summary, James J., O92128.
Taylor, Horace G., O90542.
Thomas, Donald W., O90054.
Vallandingham, James W., O89630.

To be first lieutenants, Army Nurse Corps

Borrero, Carmen R., N3084.
Goodwin, Nancy C., N3085.
Marsh, Carolyn J., N3093.

To be first lieutenant, Army Medical Specialist Corps

Mitani, Norma, J98.

The following-named person for appointment in the Regular Army by transfer in the grade specified, under the provisions of title 10, U.S. Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be first lieutenant

Tucker, Tracy W. (MSC), O86874.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be majors

Lund, John B., O2288462.
McGarity, Wiley, O2204129.

To be captains

Austin, Richard S., O4046525.
Fry, Llayll A., O4057679.
Greene, DeReef A., O2265989.
Greinmann, Theodore E., O969899.
Keaton, Charles T., O1935652.
Kuhl, George C., O827680.
Laychak, Robert, O4010415.
Lott, Robert P., O2028510.
Mosselem, John J., Jr., O4031343.
Murphy, William H., O2041562.
Ozment, Fred N., Jr., O1914548.
Petersen, Gerald L., O4029697.
Price, Theodore W., O4059460.
Pye, William T., O1881815.
Ray, James R., O4031423.
Robinson, Richard T., O4026449.
Shikata, Edward K., O4040133.
Skaer, Kenneth L., O4005367.
Steves, Roy R., O4048689.
Stratis, Stratis J., O2289927.
Swenson, Louis S., O2293423.
Varljen, Frank E., O2266295.
Weathers, Edgar W., Jr., O4010605.
Williams, John F., Jr., O4009682.
Wilson, Frank R., O1924889.

To be first lieutenants

Boyd, Leo S., O5700452.
Boyd, Robert C., O2309496.
Brothwell, Richard W., O5002255.
Burke, James A., O5401654.
Davis, Bruce H., O5702002.
Evans, Wallace M., O4084244.
Malmberg, James E., O5703956.
Millar, Roger M., O5205104.
Milton, Maurice D., O5206369.
Mitts, Edwin S., Jr., O5309726.
Neale, Charles F., Jr., O5701764.
Owens, William B., O5401934.
Parsons, William W., O5403959.
Strickler, John C., Jr., O5001948.
Vansant, Keith F., O5204221.

To be second lieutenants

Albertson, Tom L., O5213263.
Bouton, Peter H., O5312248.
Corder, Joseph W., Jr., O5405877.
DePrie, Michael C., O5705092.
Gatlin, Jerry D., O5705307.
Girouard, Richard J., O5511263.
Grecco, John F., O5009805.
Joosse, Stanley B., O5513292.
Linden, Laurence E., O5213543.
Miyamasu, Paul K., O5800221.
Moorhead, Bernerd A., O5011244.
Muller, Michael G., O5314616.
Mullett, John A., O5309587.
Quinn, Larry G., O5310027.
Scott, Peter F., O5007478.
Seery, Joseph P., O5312476.
Sindy, Ronald L., O5212917.
Taylor, Benjamin D., O5311940.
Webb, Gary A., O5705654.
Wright, Kenneth E., O5212039.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, and 3311:

To be major, Medical Service Corps

Cummings, Will J., O2206052.

To be major, Chaplain

Plocki, Robert J., O961981.

To be captains, Army Nurse Corps

Pennell, Mildred H., N805790.
Wilson, Essie M., N901659.

To be captains, Chaplains

Anderson, Alister C., O2287377.
Blustein, Allan M., O2295193.
Laubscher, Walter R., O4077183.

To be captains, Dental Corps

Freeny, Robert M., O2296156.
Hallekamp, Josef C., O5703715.
Lundeberg, Paul M., O5501242.
Miller, Ronald K., O5500530.
Volin, Ronald A., O5206868.

To be captains, Medical Corps

Jaques, Darrell A., O2283886.
Pollock, Stanford F., O5703233.
Sterghos, Stratton N., O4044952.
Ward, Chester L., O4027908.

To be captains, Medical Service Corps

Caras, George, O995295.
Cooksley, Boyd E., O995310.
McBride, Dan J., O4057530.

To be captains, Veterinary Corps

Anderson, Ronald D., O4016118.
Dean, Richard F., O4073756.
Galbreaith, John D., O1941781.

To be first lieutenants, Army Nurse Corps

Levitt, Phyllis, N5216687.
Nagelhout, Anna J., N2309056.

To be first lieutenants, Chaplains

Bowers, Curtis R., Jr., O5206906.
Dinkel, Emil L., O2296532.
Grothe, Richard E., O3010513.

To be first lieutenants, Judge Advocate General's Corps

Coker, James R., O5511101.
Davison, Robert P., Jr., O5005585.
Jay, Gary M., O2305809.

To be first lieutenants, Medical Service Corps

Lingle, Kenneth C., O2298286.
McDowell, Frank, Jr., O5301891.
Soles, Elmer M., O2285043.

To be first lieutenant, Veterinary Corps

Bixby, Howard R., O2305492.

To be second lieutenant, Army Medical Specialist Corps

Sager, Jane F., R2304781.

To be second lieutenant, Army Nurse Corps

Scott, Isabel E., N2308964.

To be second lieutenants, Medical Service Corps

Blakemore, Vaughan A., Jr., O5208376.
Burrell, Charles F., O5317002.
Campbell, Austin B., O5218506.
Casey, Thomas D., O2306579.
Elliott, Robert F., O2309572.
Halstead, Herbert L., O5413590.
Heyen, George E., O5409482.
Oppeneer, Keith D., O2309726.
Ramos, Andy A., O5850064.
Timberlake, John S., III, O2308667.
Valle, James J., O2309655.

To be second lieutenant, Women's Army Corps

Barham, Marilynn A., L5302043.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Copeland, Keith E.
Crowley, Patrick F.
Danielski, Linn J.
Dorogi, Louis T.
Dorrell, Kenneth M.
Estey, Melvyn A., Jr.
Fischer, John C.
Fleming, Jerry M.
Gatens, Paul D.
Hawkins, James W., Jr.
Mackie, Norman R.
McElwee, Vernon D.
Miketinac, Bruce T.
Modderman, Melvin E.
Nelson, Brian A.
Papierski, Joseph E.
Pauley, Richard E.
Smith, James P.
Stone, William L.
Zalkalns, Gundars

The following named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

Adams, Donald L., Jr.
Adams, Edward D., Jr.
Adams, John A.
Adams, Neal M.
Adkins, Steven M.
Allen, Glenn R.
Alvarez, David
Anderson, Don W.
Andrews, James H.
Angle, Thomas L.
Aronson, Stephen M.
Barber, Duane D.
Barnett, James T., Jr.
Barnett, William A.
Bartels, Dwayne A.
Bartow, Neil G.
Beatty, Phillip M.
Becker, James W.
Beckett, George T., III
Beitz, James E.
Bell, Robert J.
Benkowitz, Stephen J.
Bentivegna, Peter I., Jr.
Benware, Marshall G.
Bergstrom, Charles A.
Bianco, Carl A.
Bird, Lawrence M., Jr.
Bisio, Carl A.
Black, Gorham L., III
Blickenstaff, Robert A.
Bluemer, Chris E.
Bly, Elihu A., Jr.
Bodinson, John H.
Boehner, Robert B.
Boesch, Carl R.
Boick, John S.
Bonar, Rodney L.
Bonnell, Bruce J.
Borden, Donald F.
Boyles, Calvin E.
Bozenski, Richard C.
Bray, Waymond D.
Brett, Thomas H.
Brierley, Alan A.
Briggs, Joseph
Brobeil, Francis G., Jr.
Brodie, Craig E.
Brown, Jack L.
Brown, Nolan H.
Brown, Robert E.
Brown, Russell D.
Brown, William A.
Brust, John V. B.
Buck, John M.
Budd, Wayne A.
Bugielski, Dennis E.
Burke, Francis L.
Burke, Richard C.
Butts, Melvin A.
Cademartori, James A. F.
Campana, Kenneth A.
Campbell, Walter J., Jr.
Cannaliato, Vincent, Jr.
Capelli, Andrew J.
Carlson, James K.
Carlson, Robert L.
Carmack, Ronnie G.
Carr, John T.
Carr, Peter H.
Carroll, Leo
Carter, Richard G.
Cartland, John C., Jr.
Caylor, Eugene H.
Cesca, Raymond M.
Chaffee, Frederic H., Jr.
Chase, Michael T.
Chavey, Robert G.
Chester, James T., Jr.
Chinen, Paul Y.
Christiansen, John E.
Christol, John G.
Cianfrocca, Gerald M.
Cidrass, Joseph M.
Clarke, Warren E.
Clement, James F.
Cluett, Walter S
Coleman, Robert P.
Conner, Vernon L.
Cook, Robert L.
Cormier, Charles R.
Cote, Joel S.
Courtney, William V., Jr.
Cowan, Ronald L.
Crean, Thomas M.
Crews, Walton N., Jr.
Crocker, David L.
Crysler, John D.
Cullum, Kenneth H.
Cumming, James L.
Cunis, Charles L.
Dales, Bertram B., III
Dallow, Richard S.
Danner, John J., Jr.
Dattore, Eugene F.
Davidson, Harold A., Jr.
Davis, Denis C.
Davis, Larry L.
Davis, Doyne L.
Davis, Lawrence E.
Dean, Lloyd E.
De Gennaro, Joseph
De Lucia, Gilbert L., III
Deputy, Thomas M.
Desfor, Barry D.
Des Reis, Richard W.
De Vivo, Ronald G.
Dixon, James E.
Doherty, John C.
Donnelly, David E.
Doss, Allan W.
Dougherty, Hugh F., III
Doyle, Peter
Drees, Donald B.
Duncan, Louis L.
Dupre, Edgar R., Jr.
Dwyer, Allen R.
Edwards, Dennis L.
Edwards, Larry S.
Elson, Barry R.
Elvin, Richard E.
Engels, Richard C.
English, Edward B.
Fancher, Robert L., Jr.
Farmer, Robert C.
Featherstun, Glen A.
Fernald, Stephen A.
Fernandes, Vincent, II
Fields, James E.
Finnigan, Oliver D., III
Flaherty, Robert T.
Flynn, Edward T.
Flynn, James T.
Foerster, Bernhard
Foley, Francis J., III
Foley, Patrick J., Jr.
Ford, Thomas J., Jr.
Forster, Michael R.
Fowler, Donald B.
Fox, Alexander J.
Franks, Gregory J.
French, Stephen H.
Fritz, Allan J.
Fry, Ronald A.
Fulton, Larry B.
Furlow, Jewel L., Jr.
Gallagher, John R., Jr.
Ganino, Joseph
Garber, Allen
Garfinkel, Stephen M.
Gasca, Joseph S.
Gates, Richard S.
Gehring, Carl H.
Geraci, Frederick V., Jr.
Gianoukos, Peter C.
Girouard, Robert H.
Glesner, Richard C.
Globerson, Lee J.
Godfray, Thomas L.
Goldenberg, Frank G.
Goodman, George D.
Gordon, Stephen L.
Goss, Warren J.
Governo, Gerald
Green, Fred K.
Greenough, William E., Jr.
Greetham, Jerry M.
Griffith, Edward W.
Guidry, Ronald J.
Gwin, Samuel L., Jr.
Haight, Jonathan D.
Hale, Bruce E.
Halloran, William D., II
Hamelryck, Jacques L.
Hamilton, Woodbury R.
Hanlon, John B.
Hardy, Lee F., Jr.
Harrington, Paul M.
Harris, Howard L.
Harrison, Thomas C.
Haskins, Lewis F.
Hasse, Leonard, Jr.
Hazen, Joseph C., III
Heerdt, David D.
Hein, Clark D.
Hess, Walter A.
Highlander, Richard W.
Hills, Albert C.
Hirte, Douglas J.
Hoekstra, Neal L., Jr.
Hogrefe, Robert E.
Holdsworth, John W.
Holland, Major L.
Holman, Glenn P., Jr.
Holowka, Thomas J.
Horvath, LeRoy L.
Houghton, Richard R.
Houston, Jerry B.
Howard, Robert B.
Hufland, Robert F.
Humphrey, Clyde L.
Hurt, John C.
Idzik, Martin F.
Jackson, Daniel J., Jr.
Jacobs, Ronald R.
Janelle, Gerald F.
January, Michael O. C.
Jenkins, Charles A.
Jennings, William G., Jr.
Jensen, Helmer N., Jr.
Johnson, Charles F., Jr.
Johnson, Dennis M.
Johnson, Peter C.
Johnson, Stephen F.
Johnston, Hiram D.
Jones, James B.
Jones, William P.
Jordan, Dewie D.
Jordan, Robert F.
Kaplowitz, Daniel D.
Kausel, Theodore C., Jr.
Kearney, Leonard W.
Kekish, Borys
Kelley, Murl E.
Kern, James C.
Killebrew, James E.
King, Howard L.
Kloos, Clifford R.
Klus, Richard P.
Kochaniewicz, Thomas J.
Koestring, Alvin L.
Kokendoffer, George E.
Kolosseus, Michael T.
Kopf, James C.
Korkin, Robert A.
Kullberg, Gary W.
Kurtz, Richard G.
Lacey, William J., Jr.
LaFond, Michel A.
Lamm, Carol L.
Lang, Charles V.
Lapointe, Claude J.
LaRochelle, Russell A.
Laskoski, Richard D.
Lavery, William D., Jr.
Lawless, William F.
Learned, Howard M.
Lehman, Nelson S., Jr.
Lehr, Robert F., Jr.
Lennon, Richard E.
Levy, Burton H.
Linck, Keith R.
Lindahl, Edward J.
Lintner, Michael A.
Littnan, Charles L.
Lockwood, Robert L.
Lombardi, Paul J.
Love, Vincent J.
Lindquist, David C.
Lyons, Graham M.
MacManus, Colin D.
Mallard, Richard L.
Mamos, Matthew G.
Mandeville, Craig H.
Manuel, Roger A.
Marshall, Gail W.
Martin, James W.
Martin, Montez C., Jr.
Martinack, Robert P.
Marty, Fred F.
Massey, Ronald F.
Matson, Walter W., Jr.
McCurry, William K.
McLellan, Charles G.
McMillian, John W.
McNamara, Paul K.
McNear, Harry T.
McQuaid, John J.
Menger, Jay D.
Menz, William P.
Meoni, Neil W.
Mercer, Stephen R.
Merrick, Andrew D.
Merrill, John M.
Miles, Milton E.
Miller, John E.
Miller, William H.
Mills, Clarence R., Jr.
Mitchell, Richard S.
Mollmann, Herman H.
Montgomery, David J.
Moore, Alan L., Jr.
Moore, Basil T., Jr.
Moore, Robert L.
Morris, Dennis K.
Morris, John F.
Morris, Mark R.
Mouris, Paul C.
Murphree, John D.

Murphy, Donald G.
Murphy, Errol L.
Murphy, Robert J.
Murray, David W.
Murray, Thomas S., Jr.
Naski, Paul S.
Nelson, Alan S.
Neubert, Gunter H.
Newman, Lawrence J., Jr.
Newsky, Lewis W.
Nixon, Joseph O.
Nordheim, Bobby W.
Nussbaum, Seymour
O'Connell, Robert F.
O'Connor, Denis
O'Leary, James A., Jr.
Ollier, James L.
Olson, Richard V.
Oppenheim, James P.
Orringer, Oscar
Owen, John F.
Palaszewski, Daniel F.
Parrish, Feegeebee III
Parrish, John C.
Paterson, Theodore B.
Payne, Leslie
Pearce, Ronnie L.
Peffer, William D., Jr.
Perrin, Frank M.
Pfarr, John S., Jr.
Phelan, John Jr.
Philbrook, Scott D.
Pierce, D. Gregory
Pilmaier, Joseph M.
Power, John R., Jr.
Pritchett, Charles H.
Purcell, Robert M.
Quinsey, John R.
Radford, Charles W.
Radloff, Fredric T.
Rawlins, John W., Jr.
Read, Philip J.
Redmond, Robert C.
Reece, Charles R.
Reeves, Lucius V.
Reusch, Franklin A., Jr
Reynolds, James E.
Rhodes, Curtis A.
Rich, Martin E.
Rielage, Martin J.
Riggs, William C.
Ritz, Henry R.
Rivera, Jesus B.
Roche, Robert
Rockmore, Kenneth B.
Rodgers, Richard L.
Rodriguez, Arturo
Rohs, Thomas J.
Russell, David E.
Russell, Terry E.
Rydwansky, Frank C., Jr.
Sakrison, James M.
Sanborn, Robert L.
Scharf, Paul A.
Schenk, Steven T.
Schmit, James N.
Schnakenberg, David D.
Schofield, Peter L.
Schwarzhoff, Dale L.
Schweitzer, Drew J.
Scribner, Jeffrey L.
Scussel, James T.
Seaman, Gerald A.
Segal, Herbert E.
Sepanski, Stephen J.
Seremeth, Andrew J., Jr.
Severson, Richard M.
Shanahan, Michael G.
Shaw, Ray A.
Shelton, Gerald F.
Shepherd, James G.
Sheppard, Hugh P.
Sherman, Gary J.
Sherwood, Donald L.
Sielinski, Peter E.
Sitter, William P.
Sivacek, Paul M.
Slakie, Ronald J.
Slover, Donald J.
Smith, Allen C.
Smith, Converse B., Jr.
Smith, Kenneth V.
Smith, Michael J.
Smith, Richard M.
Smith, Russell H.
Snider, Thomas H.
Sorrentini, Hector E.
Spiesschaert, Darrel F.
Stevens, William L.
Stewart, Michael M.
Stiglich, Gerald F.
Stoesser, Joel W.
Stratton, John W.
Stuart, Raymond W.
Stutz, Darvel C.
Stumpf, James J.
Suddick, Robert A.
Sullivan, Gerard A.
Sullivan, John E.
Sullivan, John P., Jr.
Sullivan, Terrence E.
Surgent, Joseph R.
Sutcliffe, Edwin H.
Swenson, William E.
Swift, Joe B., Jr.
Symons, Edward L., Jr.
Szarmach, Paul E.
Taylor, Archie B., Jr.
Templeton, Patrick A.
Theriault, Alfred J., Jr.
Thomas, James M.
Thomas, Ronald W.
Thompson, Ronald E.
Thorpe, Edward E.
Tierney, William J., Jr.
Timpf, Richard H.
Tomlin, James E.
Trahan, Armand A.
Travis, James O.
Trettel, Steven J.
Trotter, Claude R., Jr.
Trudeau, Raymond L.
Tuttle, Stuart K., Jr.
Tymon, Leo F., Jr.
Vallese, Carmine J.
Vandermosten, John E., Jr.
VanWagtendonk, Jan W.
Vecchiarello, Robert N.
Vogt, Herman J.
Wall, Lewis W.
Walsh, John P.
Walsh, Robert E.
Walter, Bruce J.
Ward, Houston E., Jr.
Ward, James A., Jr.
Ward, Joel H.
Waring, Kurt E.
Watson, Raymon L.
Weber, Ervin J.
Weber, Richard L.
Welch, Kennard R.
Wenners, Edward B.
Wertz, Donald E.
Weymouth, Terry E.
Wheeler, Charles L.
White, David E.
White, Robert A.
Whiteman, James T., Jr.
Whiteside, Leonard J.
Whitman, Gordon L.
Whitmer, Dennis K.
Williams, George M.
Wilman, James F.
Wilson, William P.
Wind, Richard W.
Windsor, Thomas C.
Wing, Raymond A.
Wise, Jon R.
Wishart, Francis E., Jr.
Xenakis, John J.
Yamashita, Gary A.
Zafonte, Leonard
Zielinski, Stanley J.
Zins, Linus P.
Zyko, Eddi Z.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 28, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 16: 14: *Let all that you do be done in love.*

Almighty God, we thank Thee for this new day, affording us many opportunities to dedicate and devote our capacities of mind and heart to the glorious enterprise of building a nobler civilization.

Grant that we may be eager to share in the task of creating among the members of the human family the spirit of mutual respect and confidence.

May we be charitable in our attitude toward the convictions of others and possess the grace of living together in the bonds of friendship and fraternity.

We pray that in all our plans and labors we may be sustained by a clear and radiant vision of peace on earth and good will among men.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 24, 1963, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

HON. DONALD H. CLAUSEN

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. DONALD H. CLAUSEN, be permitted to take the oath of office today. The certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CLAUSEN appeared at the bar of the House and took the oath of office.

SPECIAL ORDER GRANTED

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 hour today, following the legislative business and any other special orders heretofore entered, to advise the Speaker and the House of the demise of a former Member, and to give those Members who wish to do so an opportunity to address the House on that subject, and to give Members 5 legislative days in which to insert remarks in the RECORD on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE BUSINESS WEEK OF FEBRUARY 11

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of making an inquiry of the acting majority leader.

Mr. Speaker, as has been the custom in the past, many of us on our side of the aisle would like to go home for the dinners that are held in memory of Abraham Lincoln. Many of us would like to do that this year. I am wondering if the majority leader could tell us of any arrangements that might have been made that would permit us to be away that week.

Mr. BOGGS. Mr. Speaker, I am glad the minority leader propounded the question. I am very happy to inform him that we have discussed the matter and are glad to be able to tell him and the other Members of the House this far in advance that there will be no legislative program that week, which I think begins on February 11.

Mr. HALLECK. Mr. Speaker, I thank the leadership for their consideration in this matter; we certainly appreciate it.

THE LATE J. STANLEY WEBSTER

Mr. HORAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, it is with sincere sadness that I inform my colleagues of the passing of the Honorable John Stanley Webster, a former Member of this body. Judge Webster represented the Fifth District of the State of Washington, which congressional district I have the privilege of now representing in the U.S. House of Representatives, in the 66th, 67th, and 68th Congresses. He resigned in 1923 to accept a U.S. district judgeship. He was a senior U.S. district judge for eastern Washington since his retirement over 20 years ago. While in the House, Judge Webster served on the Interstate and Foreign Commerce Committee. Judge Webster was the first Republican to serve the Fifth District of Washington since its formation in 1912. Judge Webster was a good citizen and was revered and loved by all in the Spokane area where both he and his brother occupied the bench at one time. He was active in many constructive and worthwhile pursuits all during his life.

The legal and judicial fraternities in Spokane plan a memorial service for